

A P P E A R A N C E S (Cont'd)

2 Marla G Simpson
3 Dan Schnur
4 Zack Viera
5 Cormac Slade Byrd
6 Frank Morano
7 Cleo Acevedo
8 James Inniss
9 Howard Slatkin
10 Greg Dennis
11 Chanel Porter
12 Carrie Lobman
13 Sidharth Ghoshal
14 Carl Unegbu
15 Barika Williams
16 Grace Rauh
17 Ben Weinberg
18 Rob Richie
19 john Kaehny
20 Scott Kendall
21 David Mirtz
22 Celina Avalos Jar
23 Amy Tsai
24 Jaidev Phadke
25 Sebastian Hallum

PROCEEDINGS

MS. GREENBERGER: Welcome to this public hearing of the Charter Revision Commission. My name is Sharon Greenberger. I'm honored to serve as Vice Chair of the Commission. I want to start by asking if there's anyone here who currently needs ESL assistance?

UNIDENTIFIED SPEAKER: ASL.

9 MS. GREENBERGER: ASL. A lot of other
10 things on my mind. ASL assistance -- is on their way,
11 but I want to make sure we are accommodating anybody
12 who -- okay. We will see them shortly.

20 Only if the voters agree to those
21 changes after the election will any changes to the
22 charter go into effect. I know that I speak for my
23 fellow commissioners when I say that we are committed
24 to hearing from a broad spectrum of New Yorkers and to
25 pursuing the best ideas we can find. This hearing is

1 just one of many public hearings across every borough
2 to hear ideas from experts, community leaders, elected
3 officials, and, indeed, any member of the public who
4 wishes to testify.

5 Importantly, this is an independent
6 commission. In making our recommendations to the
7 city's voters, we are bound only by our judgment and
8 our values. We will pursue ideas regardless of who
9 proposed them and regardless of who supports them.

10 Joining me in -- joining me in this
11 task are 12 other commissioners, Chair Richard Buery,
12 who's joining us virtually, Secretary Leila Bozorg,
13 Grace Bonilla, Shams DaBaron, Anita Laremont,
14 Dr. Lisette Nieves, Anthony Richardson, Julie Samuels,
15 Diane Savino, Carl Weisbrod, Valerie White, and
16 Kathryn Wylde.

17 Although, as I said, we'll be
18 considering the entire charter, the commission is
19 looking in particular at our charter's approach to
20 housing and family. From my perspective, there is no
21 urgent challenge for this body to take up, given the
22 city's housing crisis. We are in the midst of a
23 profound affordability crisis.

24 For millions of low income New Yorkers,
25 housing costs are the central struggle of their lives.

1 For millions more, especially low income New Yorkers,
2 our housing crisis severely limits where New Yorkers
3 can live, what schools they can attend, how they get
4 to work, and whether their families can stay together.

5 Our commission has also taken a close
6 look at the problem of chronically low voter -- voter
7 turnout in city elections. Although our city has a
8 vibrant civic life, we suffer from consistently low
9 turnout in local elections. We're also particularly
10 interested in how to ensure that non-profit partners
11 who provide vital services for New Yorkers are paid on
12 time for their work.

13 The commission staff recently released
14 a lengthy preliminary report summarizing what our
15 commission has heard at public hearings so far and
16 identifying the areas to explore going forward. That
17 report is available at nyc.gov/charter. As the report
18 reflects, your thoughtful testimony has driven and
19 will continue to drive this process as it unfolds.

20 Testimony of any kind is -- on any
21 topic is welcome in today's hearing. So let me say a
22 few words about how this hearing will be run. We'll
23 generally hear from those who are attending this
24 meeting in person before turning to virtual testimony.
25 However, as part of our work to explore the details of

1 alternative election models, we've invited experts
2 from around the country to join us, and we'll hear
3 from them as their schedules permit.

4 Members of the public are asked to
5 testify for no longer than three minutes. We have a
6 clock. We stick to it. We will call for testimony
7 from -- from three people -- actually, two people at a
8 time, followed by any questions from the commission.
9 I'll ask commissioners to hold their questions until
10 the full panel has finished.

11 If you wish to testify virtually, there
12 is a form online. You can find it on the meeting page
13 for this hearing. If you go to nyc.gov/charter, click
14 on the Meetings tab, and select "The Bronx Hearing."
15 We'll also drop a link to the form in the chat. We
16 will do our best to hear from everyone who wishes to
17 speak today.

18 This meeting is scheduled to run until
19 8 p.m., thus the importance of the three-minute
20 timeframe. In the event that we don't hear from you
21 this evening, there are many more opportunities to
22 submit testimony. This is just one of many public
23 hearings that have been announced.

24 Again, you can visit nyc.gov/charter to
25 find more information about all of our public

1 hearings. And let me say, we receive and we read all
2 of the testimony that comes through. You can also
3 submit written testimony to the commission by emailing
4 chartertestimony@citycharter.nyc.gov.

5 And if you cannot attend a hearing in
6 real time, each of the commission hearings will be
7 public live streamed and recorded for archival
8 purposes. So I think, first, I would like to ask for
9 a motion to approve the minutes from our May 28th
10 public hearing. May I have a motion?

11 MS. BOZORG: So moved.

12 MS. GREENBERGER: May I have a second?

13 MR. KIERNAN: Second.

14 MS. GREENBERGER: Thank you. Is any
15 discussion? All those implied favor, please say
16 "Aye."

17 MULTIPLE SPEAKERS: Aye.

18 MS. GREENBERGER: Any opposed or
19 abstentions? The minutes are counted. Thank you so
20 much. And with that, let's get to our testimony. I
21 think we are going to start with an online
22 participant, Council Member Frank Morano.

23 Thank you for joining us. I'll call
24 you up.

25 MR. MORANO: Thank you. Can you hear

1 me?

2 MS. GREENBERGER: Yes, we can.

3 MR. MORANO: Thank you, Madam Vice
4 Chair. I appreciate it. I appreciate once again the
5 opportunity to testify. I want to follow up on a
6 critical issue that could fundamentally reshape
7 democracy in New York City, which is the structure of
8 our elections.

9 And I know you and the other members of
10 the commission are taking the mandate to improve voter
11 turnout and to otherwise improve New York City civic
12 life and electoral life very seriously, and I'm
13 grateful for that. Specifically though, I urge this
14 commission to reject the flawed models of top-two and
15 top-four elections, and instead, adopt a simple,
16 effective and proven alternative.

17 Single round non-partisan elections
18 with ranked-choice voting as we only use for special
19 elections in New York City, like the one that I was
20 elected in in April. So let me be clear, top-two,
21 from my perspective and from the voters perspective,
22 is a disaster. There's a reason no other state has
23 followed California's lead on this.

24 It has narrowed the political playing
25 field, disadvantaged Independent and third-party

1 candidates, and actually entrenched the dominance of
2 the two major parties. In practice, top-two often
3 results in two candidates well -- from the same party
4 making the general election ballot, leaving entire
5 ideological communities with no real choice. That's
6 not reform in my view. It's regression.

7 Top-four, while a lot better, is still
8 deeply flawed. It creates a confusing two-step
9 process, introduces unnecessary complexity for -- even
10 more procedural barriers for candidates who aren't
11 backed by political machines or flush with cash.

12 There's no compelling evidence that
13 Alaska's model, which is the most similar to top-four,
14 has improved voter turnout or trust in government. In
15 fact, it's created what I would argue is an -- is a
16 removed Rube Goldberg machine of political mechanics,
17 one that New Yorkers neither asked for nor deserve.

18 We already have the models we need.
19 Special elections in New York City are nonpartisan and
20 use ranked-choice voting. Any voter can participate.
21 Any candidate can participate. Why complicate what's
22 working?

23 Here's why the single round nonpartisan
24 RCV model makes sense. It's simple. One election,
25 one ballot. Voters rank candidates in order of

1 preference. No primary, no runoff, no double the
2 expense, double the confusion, or double the turnout
3 drop off.

4 It's fair. Candidates of every
5 political strife, Democrat, Republican, third-party,
6 or Independent compete on a level playing field.
7 Voters don't have to worry about the wasted vote
8 syndrome of not -- of the person splitting the vote
9 and allowing someone they really don't like to get in.

10 It's familiar. New Yorkers already use
11 RCV in special elections. They understand how it
12 works. They're growing to understand it more as it's
13 being used more and more, and it's been implemented
14 without chaos or without too much controversy.

15 It strengthens democracy. It
16 incentivizes candidates to appeal to a broad swath of
17 voters, not just their partisan base -- base leading
18 to more civil, inclusive, and representative
19 campaigns.

20 Lastly, some of the proposals under
21 consideration seem to be solutions in search of a
22 problem. Let's not reinvent the wheel with
23 experimental systems that have failed elsewhere.
24 Let's double down on what's already working,
25 non-partisan single round ranked-choice elections.

1 Anything else, in my view, is a step backward, and I
2 think the people of the city of New York deserve
3 better than that. Thank you.

4 MS. GREENBERGER: Thank you so much.

5 I will ask my fellow commissioners if
6 there are any questions of this council member?

7 MS. SAVINO: Just one question.

8 MS. GREENBERGER: Yes.

9 MS. SAVINO: Thank you, Frank.

10 MS. GREENBERGER: Thank you, Frank.

11 UNIDENTIFIED SPEAKER: Thank you,
12 Frank.

13 MS. SAVINO: What you're suggesting is
14 just a November election? No June primary? Simply a
15 November election, nonpartisan ranked-choice?

16 MR. MORANO: That -- that's correct.
17 And I -- I think, for instance, if you were to have
18 the top-two system in place now, the top two
19 candidates in the November election would almost
20 certainly be Democrats.

21 And I think the 25 to 30 percent of New
22 Yorkers that might be inclined to vote for Curtis
23 Sliwa or another Republican, not only would they not
24 show up in the mayor's race, but I think it would have
25 a deleterious effect on turnout in every

1 competitive -- what's now a competitive city council
2 seat. And I think it could actually worsen the
3 problem the commission is trying to solve with respect
4 to voter turnout.

5 Now, I don't think that's as bad of a
6 situation with top-four. That's why out of those two
7 proposals, I think top-four is far preferable. But I
8 think you still have a situation where if you're a
9 Libertarian or a Green or someone who likes to vote
10 for a third-party or Independent candidate, those
11 candidates simply wouldn't get access to the ballot,
12 and I don't understand how that serves.

13 I mean, I know they've tried this in
14 Alaska, but there's 150 democracies in the world.
15 There's a reason not one of them has done top-four or
16 top-five anything.

17 MS. SAVINO: Thank you.

18 MS. GREENBERGER: Thank you again.

19 Thank you for taking the time.

20 MR. MORANO: Appreciate it.

21 MS. GREENBERGER: And we will move to
22 in-person testimony.

23 First up will be Barika Williams and
24 Howard Slatkin, if you could join us up front. Thank
25 you. Please go ahead.

1 MS. WILLIAMS: Go ahead. Go ahead.
2 MR. SLATKIN: Barika is asking me to go
3 first.

4 MS. WILLIAMS: Go for it, Howard.

5 MS. GREENBERGER: You're very
6 diplomatic.

7 MS. WILLIAMS: I think we switched off
8 last time.

9 MR. SLATKIN: -- we spend a lot of time
10 at the same table. Good evening, Vice Chair
11 Greenberger, Chair Buery, and commissioners. Howard
12 Slatkin, I'm executive director of Citizens Housing
13 and Planning Council. Happy to be back to talk about
14 the recommendations you are currently considering for
15 the -- reforms.

16 THE REPORTER: Could you just put the
17 mic closer to your mouth?

18 MR. SLATKIN: Certainly. Thank you.
19 As the commission sorts through
20 recommendations that address identified flaws in the
21 land use process, I urge you to be mindful that the
22 problem is not just that some neighborhoods refuse to
23 allow housing at all, but also that the system
24 encourages inadequate housing everywhere.

25 We've discussed the major flaw that --

1 that exists that local members are able to shut down
2 housing applications in their own districts for all
3 intents and purposes.

4 But there is also, for instance,
5 another common practice that I've called Hungry,
6 Hungry Hippos Zoning. This is when individual council
7 members use the ULURP process to secure affordable
8 housing commitments that can only be met by publicly
9 subsidized housing.

10 It's an obvious political victory for a
11 member to be able to say they're getting more
12 affordable housing for their district, and it also
13 sounds like a substantive victory for affordability.
14 But this is often illusory because it -- this practice
15 just shifts the same pool of finite housing subsidies
16 that exist from one neighborhood to another.

17 It doesn't increase the amount of
18 affordable housing that gets built in the city. And
19 rezoning only for subsidized housing doesn't actually
20 increase the effective zoned capacity of the city,
21 which is still limited by the amount of subsidy
22 available.

23 As long as decisions are viewed through
24 local blinders, we will always have shortcomings in
25 our -- review process and its ability to meet our

1 housing needs.

2 I also want to caution the commission
3 about the idea of combining community board and
4 borough president review into the same 60 days, which
5 sounds like a 30-day savings. But it may, in fact,
6 diminish rather than enhance the borough president's
7 bully pulpit during the process, forcing the VP to
8 take an early position.

9 Issuing concurrent potentially and
10 concurrent conflicting recommendation would often be a
11 greater liability to a borough president than, for
12 instance, to the community board.

13 In contrast, enhancing the borough
14 president's role closer to the end of the process, for
15 instance, as CHPC has proposed, allowing the borough
16 president to trigger an appeal vote following a city
17 council vote would do more to elevate their broader
18 geographical perspective.

19 Also, making the city planning
20 commission public hearing occur 30 days earlier would
21 make it virtually impossible to submit a modified or a
22 application that addresses issues that are beyond the
23 scope of the original application. This is something
24 that is already difficult in the current process but
25 would become virtually impossible.

1 So a shortened process like this may be
2 appropriate for minor or straightforward applications
3 rather than for other more complex applications. To
4 the extent that reforms -- oh, I'm out of time.

5 I wanted to just briefly suggest that
6 when reforms are applied to geographies where housing
7 production is deemed inadequate that the determination
8 should be essentially automated and based on objective
9 data rather than on targets set by mayoral agencies or
10 the city council. I can elaborate on that or any
11 other points as the commission wishes.

12 MS. GREENBERGER: Thank you so much.

13 MS. WILLIAMS: -- go first?

14 MS. GREENBERGER: Yes, please go ahead.

15 MS. WILLIAMS: Okay. All right. I'm
16 shorter. Good evening, everybody. My name -- oh --
17 no -- yeah -- still -- okay. I was, like, I'm still
18 shorter. Good evening, everybody. My name is Barika
19 Williams. I'm the executive director of the
20 Association for Neighborhood and Housing Development,
21 or ANHD, and pleasure to be here, Vice Chair, and here
22 in the Bronx, specifically.

23 ANHD is a membership organization with
24 more than 80-plus neighborhood-based non-profits
25 across the city, including many of the non-profit

1 affordable housing developers and managers that you
2 were mentioning in your opening.

3 And we also convened the Thriving
4 Communities Coalition, a citywide movement of
5 grassroots advocacy and policy and technical
6 assistance groups working across the city on equitable
7 land use -- planning and really fighting our current
8 ad hoc approach to planning land use in the city.

9 So coming back to you all after
10 previously testifying in February and really wanting
11 to focus -- Howard cued it up perfectly -- on that
12 last piece of understanding where we are given the
13 current existing fair housing plans and how, in light
14 of the report, the commission could potentially be
15 maybe not prepared to advance comprehensive planning
16 overall, which is what we've been pushing for, but we
17 still believe that this is a key opportunity to
18 advance one of the key components and outcomes of fair
19 housing by better aligning land use and budget pieces.

20 So in this, a crucial goal would be to
21 sort of codify and -- and create some consideration
22 around how certain discretionary housing proposals can
23 move on a different and faster timeline than others.

24 So the key thing to stress here is we
25 understand that the desire is to expedite and reduce

1 bottlenecks for affordable housing development, but it
2 has to be done in a way that follows a plan that
3 ensures that we're maintaining equitable planning and
4 outcomes across the city. And that those plans are
5 rooted in equity.

6 So our proposal and what we're bringing
7 back to you all is requiring, first and foremost, the
8 city council to vote on the targets. The goal here is
9 to codify the targets by city council, and, while you
10 can never take the politics out of the process, in
11 theory to move the politics to a single moment in time
12 upfront.

13 Think of it, in my mind, vis-a-vis the
14 like "Big Ugly" up in Albany. Like everybody's got to
15 have vegetables and some dessert at the same time, and
16 you make that decision together as opposed to right
17 now we're doing that one by one at the end of each
18 ULURP process, right.

24 So for example, community is like we
25 really need to prioritize senior housing and all we're

1 seeing is one-bedroom units or all we're seeing is
2 units that don't feel like they're ADA -- you know, as
3 accessible, right. And then to expedite housing that
4 meets the targets. So what we propose here is that a
5 hundred percent affordable housing projects go through
6 an expedited timeline and process.

7 Also, creating some additional
8 predictability for the cost of those projects and that
9 mixed income and affordable -- mixed income,
10 affordable housing projects that meet certain criteria
11 and then certain neighborhoods could also be
12 accelerated sort of in a understanding that certain
13 neighborhoods won't be meeting their five-year
14 targets. And I know my time's up, so I will stop
15 there.

16 MS. GREENBERGER: Thank you so much.

17 I have a quick question for each of
18 you. First, Barika, on yours, do you have specific
19 ways to enforce meeting those targets in addition to
20 expediting potential plans that help meet those
21 targets? Any other specific mechanisms?

22 MS. WILLIAMS: Yes. So we went more
23 with the incentive side than the penalty side, right.
24 Also, thinking about some of the things and pushback
25 and feedback we've seen in statewide housing proposals

1 and other things, it feels like that is -- has been
2 better received. So it would be that a hundred
3 percent affordable moves through.

4 If you haven't met your five-year
5 targets, you are now open to a much wider swath moving
6 through on an accelerated timeline. So now your mixed
7 income affordable projects can move in the same
8 accelerated timeline as you're a hundred percent
9 affordable.

10 So now we've kind of, like, doubled the
11 pool of what can move more quickly with the
12 understanding -- and this is where one of the
13 feedbacks we also heard from our membership was the
14 desire and need -- and Howard talked about this as
15 well -- to not eliminate community voice in this
16 process.

17 So to appreciate that some community
18 boards might be like everything that's getting
19 developed is a studio, and we are families that need
20 three and four buildings. What we want to do is set
21 our plan to say we want affordable that is for
22 family-sized units and to give that the acceleration
23 but maybe not say that everything has to be
24 accelerated.

25 MS. GREENBERGER: Thank you.

1 And Howard, you mentioned an appeals
2 process -- I can't remember if your exact words were
3 "automated" or "objective" criteria. Do you want to
4 elaborate on what those are?

5 MR. SLATKIN: Sure. And I think the --
6 this is a, I think, a same set of issues that Barika
7 was talking about in a somewhat different take on it,
8 which is that this is the idea that for whichever
9 provisions are triggered by some measure of inadequate
10 housing production -- and we've suggested some in our
11 proposal at CHPC -- others have suggested other
12 mechanisms triggered by that.

13 But the challenge with any mechanism
14 that -- any mechanism in which the -- the measure
15 determines who participates in the ULURP process, the
16 people who are participants in the ULURP process
17 should not be participants in setting that target
18 because it creates an incentive to gain targets to
19 either include or exclude people from the ULURP
20 process in a way that's, you know, not related to what
21 the actual housing target underlying that should be.

22 A -- a much simpler, cleaner, less
23 controversial, subjective, and manipulable version of
24 that would be to just take the lowest 25 percent. For
25 instance, if the issue of -- that I'm suggesting --

1 this -- that the lack of production of new affordable
2 housing in a district over a period of time, you know,
3 is -- is the -- the threshold of the question.

4 If that -- if you take the lowest
5 25 percent of community districts in that category,
6 then, you know, that is going to capture the districts
7 that are producing the least affordable housing
8 overall, and it doesn't involve subjective
9 determinations about, you know, who should or who
10 shouldn't have a vote in which part of the process.

11 MS. GREENBERGER: Understood. Thank
12 you.

13 MS. WHITE: Thank you both for coming
14 tonight.

15 Barika --

16 MS. GREENBERGER: Get friendly with the
17 mic.

18 MS. WHITE: I'm not short so -- just in
19 looking at the three steps that you laid out, the city
20 council -- targets plans and the community boards --
21 you are looking at it -- what -- what -- potentially
22 do you -- do you think there's a potential that
23 this -- once the city council votes on a target, the
24 community boards will be engaged in the plan, but
25 they're not agreeing with you -- how do you think that

1 will work in, you know -- still feel like you're safe
2 after doing a, you know, particular type of housing?

3 MS. WILLIAMS: No -- and I -- yes.

4 Absolutely. And -- and I think it is almost assured
5 that there will be community boards that do not agree
6 with the targets that are set for them, right.

7 And in that regard, I completely agree
8 with what Howard said of like the part of this is to
9 say setting those targets is about not just -- we're
10 trying to -- in the city council vote and in the
11 community board vote, what we're trying to balance is
12 that what needs to be the guiding star is the citywide
13 goals and that there is a role for then communities to
14 say I want to influence or give input into how my
15 community board then meets its obligation to be a part
16 of that guiding star, right.

17 Not that they can opt out that guiding
18 star, not that they can say, "Well, I don't like what
19 happened to the guiding star, and I don't agree with
20 it and we're not that" -- that then puts them into the
21 okay, you didn't want to participate. Now, everything
22 is moving through -- all of these a hundred percent
23 and mixed income units are moving through on a much
24 faster threshold.

25 The one place I would say we probably

1 have a little bit deference in terms of how a
2 threshold is Howard was talking about that bottom
3 25 percent. I think we are a little bit more
4 concerned about what that data could look like over
5 time, especially considering that there are a number
6 of community districts in New York City who have done
7 vastly higher than their share over the past 20 years.

8 And so at some point in the future, it
9 might be quite appropriate for them to fall to that
10 20 -- bottom 25 percent and that not actually be a
11 penalty. That other people should be doing more in
12 order for us to over time sort of even out, right, and
13 so that's why we think about it more as targets and
14 less so as, like, percentage thresholds.

15 So that, in theory, we as a city could
16 say, "Okay, you know, Kingsbridge, okay, Flatbush,
17 you've done your percentage times ten over in the past
18 few years, and so we will allow you to have a lower
19 set of targets for this next five-year period
20 intentionally," and that not be something that they
21 get penalized for.

22 MS. GREENBERGER: Thank you.

23 Any other questions?

24 MS. BOZORG: Thank you both for your
25 testimony.

1 Barika, on the council voting process,
2 have you guys thought through kind of how that plays
3 out if the council can't get a majority of folks to
4 approve? I'm trying to imagine a situation --
5 especially 'cause if in a world where it's up down --
6 I read the the testimony. And it is really just about
7 targets.

16 MS. WILLIAMS: I hope Chris is over my
17 shoulder and not going to kick me from afar and that
18 I'm doing this right.

19 MS. BOZORG: -- let -- I'm sure thought
20 a lot about -- curious --

21 MS. WILLIAMS: Oh, so I think there's,
22 like, sort of two approaches. One is a little
23 "muddlier" -- if that's a word -- and then the other
24 one maybe is a little bit cleaner but maybe a little
25 more -- just uncomfortable for council members. So

1 one is if council members, as a body, can't come to a
2 consensus, it now goes into the administration, right.
3 It goes into --

4 MS. BOZORG: -- proposed -- plan --

5 MS. WILLIAMS: so -- so -- right. It
6 defaults to the plan, right. So it's like either you
7 all as council members can -- you all --

8 MS. BOZORG: -- come up with some
9 other --

10 MS. WILLIAMS: Right. Or --

11 THE REPORTER: -- try not to talk over
12 each other please.

13 MS. WILLIAMS: Sorry. Either you all
14 as council members can -- can come up with something,
15 or it will default back to what the administration
16 came up with.

17 In our mind, that sort of balances
18 out -- checks and balances of powers, you know.
19 Figure it out. Come to some consensus in a room. We
20 all know it's never that plain or neat, but the way to
21 exercise a counterbalance to the mayor's
22 administration is to -- to formulate your own set
23 numbers and targets that they pass.

24 The other version would be to tie the
25 targets in with the budget process for the city. So,

1 in a sense, sort of folding it into a "Big Ugly"-type
2 vote, tying it into money, and so you don't get your
3 money if you don't get -- if you don't have this,
4 right. So tying your carrot and stick. I'm not sure
5 which one is which.

6 MS. BOZORG: I have follow up. Is that
7 okay? Sorry. I was just hoping the --

8 Howard, the last thing you were trying
9 to explain that you didn't quite have time for, I just
10 wanted -- if you have a moment to elaborate on that.

11 Oh, you --

12 MR. SLATKIN: Yeah. I think that was -
13 - that was --

14 MS. BOZORG: Oh, I didn't -- okay. I
15 will read the answer. Sorry I didn't --

16 MR. SLATKIN: Okay.

17 MS. GREENBERGER: Any other questions?

18 Thank you both so much. Appreciate it.
19 Thank you.

20 And we will now turn to Louisa
21 Chafee --

22 UNIDENTIFIED SPEAKER: -- going to be
23 submitting written --

24 MS. WILLIAMS: Yes. I think we already
25 have submitted written testimony and it -- yes. And

1 then --

2 MR. SLATKIN: I have some here.

3 MS. WILLIAMS: -- and Howard has some
4 here, so we can get those. And I would be remiss if I
5 also didn't say it is not the part of our testimony,
6 but we strongly support changes to non-profit
7 contracts and payments considering that we have
8 probably an average of 2,000,003 years worth of back
9 pay across each one of our 80-plus members.

10 MS. GREENBERGER: Thank you.

11 And that is a good segue to our next
12 speaker. Louisa Chafee is going to be joining us
13 online.

14 Louisa.

15 MS. CHAFEE: Thank you so much -- can
16 you all hear me?

17 MS. GREENBERGER: Yes.

18 MS. CHAFEE: Wonderful. So good
19 evening. I'm Louisa Chafee. I'm the director of the
20 New York City Independent Budget Office. I'm pleased
21 to again testify to you on these important issues
22 drawing from both IBO's analysis and experience and my
23 own history and city role in Albany.

24 First, I support the idea to elevate
25 the Mayor's Office of Contract Services to becoming a

1 charter position. Authority, management, and
2 accountability are all critical to procurement reform.
3 To date, the charter defines the rules of no fewer
4 than 25 separate mayoral offices, but is silent on
5 MOCS. Thus it is too easy for charter-empowered
6 agency heads to discount MOCS' efforts based on this
7 apparent inequality and authority.

8 The Mayor's Office of Operations is and
9 both in function and spirit the most analogous to
10 MOCS. IBO suggests that the charter language --
11 operations should be the model for defining MOCS. I
12 also -- this commission's focus on the city's lateness
13 in paying the nonprofit vendors that serve vulnerable
14 New Yorkers.

15 There are two distinct compliance
16 issues in this area. The first is late registration.
17 City agencies are chronically late in registering
18 human service contracts both -- whether new awards or
19 continuations. The city cannot legally pay for
20 services or provide an advance during the period which
21 there is no registered contract.

22 It's rare for there to be a service
23 that is genuinely and completely new. And so the
24 solution is to require city agencies to register
25 contract continuations before an existing contract

1 expires. My written testimony provides way more
2 information.

3 The second -- is late payment on
4 invoices. When a city agency is slow to pay a private
5 sector vendor, say construction, they may just stop
6 working in front of the customers. They may also
7 raise their bid prices the next time around when
8 engaging with the city.

9 Non-profit providers have no such
10 options. Pricing is basically predetermined by the
11 city, and they have no alternate customers. Plus,
12 non-profits are mission-driven and committed to
13 serving New Yorkers. So most struggle -- many times
14 invoices are not paid as city agencies dispute minor
15 items. My written testimony provides details on how
16 the charter can fix this issue.

17 The -- policy board sets the policy and
18 standards for -- they can benefit from some common
19 sense reforms. One, it should be mandated to meet at
20 least four times a year. Two, its membership should
21 be doubled in size and should be comprised of fewer
22 government employees. The term or language that
23 defines the IBO's advisory committee provides a useful
24 model. Three, it should have a director and even a
25 small staff. And four -- and that's it.

1 Okay, but before COVID, I'd like to --
2 I'd like to highlight two other ideas. One, the
3 charter should require emergency contracts to be
4 re-approved by the controller and the mayor every two
5 years. Recent lessons from COVID and asylum seekers
6 demonstrated that without time, poor fiscal and
7 management choices are easily made.

8 And finally, the charter language
9 around units of appropriation should be striked.
10 Units of appropriation which are supposed to tell the
11 public what is being spent for each "particular
12 program, purpose, activity, or institution." Many
13 agencies account for unrelated programs with separate
14 funding streams within a single UA.

15 For example, the USD combines after
16 school immigrant services and -- UA, and those are not
17 the same program. The NYPD puts a quarter of its
18 budget into a single UA, and that covers all police
19 precincts, boroughwide offices, and various specialty
20 units. This tells us nothing useful about the PD's
21 budget.

22 With looming federal budget cuts,
23 understanding where federal monies actually support
24 city programs will be critical to public
25 accountability. The current UA practice flies in the

1 face of the charter schools.

2 So I appreciate the opportunity to
3 testify today, and I welcome the opportunity to work
4 with you and your staff around these and other issues.
5 And I'm available if you have any questions. Thank
6 you.

7 MS. GREENBERGER: Thank you so much. I
8 know you are going to submit your testimony.

9 MS. CHAFFEE: Yes, I am.

10 MS. GREENBERGER: Very briefly, you
11 mentioned that you have several ideas around late
12 payments. If you could identify the one that you feel
13 most strongly about.

14 MS. CHAFFEE: Yes. The city's automatic
15 payment systems within FMS, the financial management
16 system, and Passport should be programmed in such a
17 way to automatically pay a certain percentage, say
18 80 percent of the invoice automatically. This allows
19 the smaller areas that are debated to continue, and it
20 doesn't add risk because remember, there's an audit
21 after the process.

22 MS. GREENBERGER: Perfect. Thank you
23 very much.

24 Any questions?

25 Okay. Thank you, Louisa. I really

1 appreciate it. Thanks for being here.

2 I think we have Grace Rauh and Ben
3 Weinberg in person. If you could both join us in the
4 front.

5 MS. RAUH: Thank you.

6 MS. GREENBERGER: Good evening.

7 MS. RAUH: Good evening. Thank you for
8 having us. My name is Grace Rauh. I'm the executive
9 director of Citizens Union, and I'm joined by Ben
10 Weinberg, our policy director. Thank you for the
11 opportunity to testify this evening.

12 I'm here to express our strong support
13 for the proposal to move New York City's municipal
14 elections to even-numbered years. The commission's
15 thoughtful and thorough report outlines the clear
16 benefits from this reform, especially its potential to
17 dramatically increase voter participation. It also
18 raises important considerations that I'd like to
19 briefly address.

20 First, why should we do this now in the
21 city charter? We need to be prepared. For years, New
22 York State has moved to consolidate elections to
23 combat low turnout in off-cycle contests. In just the
24 past few years, we've seen school board elections in
25 Buffalo, village elections in Onondaga County, and

1 even primary runoffs in New York City get shifted or
2 consolidated to address low voter turnout.

3 A 2023 state law moved most county and
4 town elections to even-number years to boost voter
5 engagement. And in 2024, the New York State Senate
6 passed a constitutional amendment that would have
7 allowed New York City to do the same. And we know
8 that more reforms are on the horizon.

9 New York City should not wait to be
10 told when to act. If a constitutional amendment
11 enabling New York City to control its election
12 calendar passes in 2027, we would still need a charter
13 revision commission and another referendum in 2028 to
14 enact that change in New York City, just as many
15 candidates are campaigning for 2029. That is,
16 frankly, too late.

17 Reform tied up in election-year
18 politics would invariably be more challenging. Acting
19 now, this year, in 2025, gives us a rare chance to do
20 this cleanly, credibly, and proactively. A statewide
21 constitutional amendment mandating even-year elections
22 for all cities could also resolve this. But let's be
23 honest, it is not going to happen without strong
24 public momentum. A popular New York City referendum
25 would show Albany that voters do want change.

1 Additionally, public opinion polling
2 suggests that a ballot question on even years would be
3 widely supported by voters. Surveys have found that
4 nearly three to one support for this reform in New
5 York City exists across age, race, education, party
6 lines, consistent with statewide and national polling.

7 And across the country, these ballot
8 measures have had a remarkable success rate. In 35 of
9 36 cities where voters waive in directly, they
10 approved referenda to consolidate election calendars
11 on average with 72 percent support.

12 Here in New York City, we know that
13 support for this reform not only comes from voters,
14 our own research of Citizens Union found that the very
15 candidates it would affect are strongly in favor of
16 changing our election calendar. And we put out some
17 new report -- some new data on that earlier today.

18 Finally, this isn't a radical idea
19 supported by one political faction. It's a common
20 sense, smart, widely supported reform that would
21 strengthen our democracy and bring New Yorkers -- more
22 New Yorkers into the process. Thank you for
23 considering it.

24 MS. GREENBERGER: Thank you so much.
25 And -- oh, you're good. You're together. Ready to

1 answer any questions?

2 MS. SAVINO: Well, Grace and Ben, good
3 to see you guys again. So generally, I understand the
4 concept, and I was in Albany when -- passed the first
5 attempt at even-year elections. But I -- so I have a
6 couple of questions.

7 How -- when -- if -- if we were to do
8 this -- because I agree with you. If we're going to
9 do it, we should put it on this year in the event that
10 the legislature in Albany actually gets it's act
11 together and passes it in two consecutive sessions and
12 the voters adopted so we don't have to come back and
13 do this again.

14 But when -- what would be the timeframe
15 for the implementation? Because right now, we're on
16 odd and even years. So who gets bumped? I mean, have
17 you guys thought that through?

18 MR. WEINBERG: Yeah. I can answer that.
19 We -- sorry. There are various ways that we're doing
20 the transition that -- cities and states around the
21 country. There isn't actually one specific trend.
22 Some cities shorten terms. Some cities extend their
23 terms.

24 The way the state has done it in the
25 2023 law -- and that's also the provision that is

1 being considered now for changing state
2 constitution -- would essentially -- once passed, the
3 moment the bill is enacted all -- all elected
4 officials get to finish their term, which is a key
5 element of this. So we don't want to cut any elected
6 official's term in the middle.

7 Then you have -- you hold another
8 odd-year election after that legislation is enacted,
9 and that -- the people who run in that odd-year
10 election is run for a truncated term. So you either
11 shorten the term by -- you usually shorten the term by
12 one year. It depends on the length of the term.

13 In New York City, you'll shorten it by
14 one year. So if the process plays out the way we
15 describe it, in 2029, candidates would run for a
16 three-year term that will finish in 2032. So we'll
17 have our first, let's say, mayoral even-year election
18 in 2032 for four years.

19 MS. SAVINO: Okay. Would -- would we
20 or the state have to change term -- those terms
21 statutorily because terms of office are set in
22 statute?

23 MR. WEINBERG: Right.

24 MS. SAVINO: So -- so we -- we pass the
25 odd-even year approval. Right? So in the event it

1 happens -- then we pick the year it would start, the
2 offices that would be affected, and then the state
3 legislature and/or this -- or the city would -- we
4 would have to change our local election laws to be
5 able to shorten the time -- the term that I'm -- say
6 I'm currently sitting?

7 So if I had a four-year term now, I
8 would serve a three-year term and now I go -- So we --
9 so it requires some other legislation?

10 MR. WEINBERG: Yeah. Well, it -- it
11 depends how you draft it --

12 MS. SAVINO: You're assuming that --
13 I'm sorry. Not to interrupt you. You mean if -- if
14 they -- if the constitutional amendment was drafted,
15 it could have -- it could address those issues?

16 MR. WEINBERG: Yeah. The way the --
17 there are couple of bills up in Albany consider. The
18 way they're drafted is that a constitutional amendment
19 would just change the language in the constitution
20 that says "even" or "odd." And then in implementing
21 state law, a companion bill, would -- would lay out
22 the mechanism for transition that is already in
23 existence.

24 MS. SAVINO: And -- I -- I think -- the
25 last question -- because I know -- there are some --

1 there are some people who are concerned -- mostly
2 local governments, counties, et cetera -- that
3 shifting it from -- the -- everything to an even-year
4 election where voter turnout was driven largely by the
5 top of the ticket.

6 That's where most of the money is spent
7 on the presidentials and/or gubernatorial races that
8 the local issues get lost. That nobody pays attention
9 to who your local alderman is or your council person
10 or your state assembly person.

11 And -- and I -- I think I shared at one
12 of the previous hearings, having been at the bottom of
13 the ballot in a presidential year myself over the
14 years, like you often -- we would develop a campaign
15 strategy to tell people to vote from the bottom up
16 because there is a huge amount of drop off from the
17 top of the ticket.

18 How do we -- how do we prevent that?
19 Or is there evidence in other states where they have
20 adopted this even-year election where the whole -- I
21 guess the hope is that you'll drive voter turnout.
22 Are we seeing a drop off from the top of the ticket,
23 particularly at the local level, or has it improved
24 voter turnout and -- and then improved voter, I guess,
25 participation all the way down the ballot.

1 And if you don't know that answer,
2 that's fine. But I really would be interested to see
3 how that's affected those -- those candidates.

4 MR. WEINBERG: Yeah. So we -- we do
5 know the answer for that 'cause that's one of the
6 first thing we looked at when we reviewed this topic
7 because that -- that is concerning. So the truth is
8 that we see it all around the country. Longer ballots
9 get higher ballot drop off. That's, like,
10 undisputable.

11 However, because we face such low
12 turnout in all the election now, the benefits you get
13 by moving to even years is much larger than increasing
14 in drop off by moving to even years. So in that
15 sense, even the races for state senate or state
16 assembly are, like, the down ballot races today, and
17 even years received much, much, much higher turnout
18 than their parallel races in -- in the odd year
19 election.

20 So we have some numbers actually in the
21 testimony from other cities. You know, Baltimore, we
22 saw an increase of about 18,000 voters in -- 18,000
23 drop off -- increase in drop off, but an increase of
24 about 200,000 voters overall for that same race. That
25 is a down ballot.

1 And even today, if you look at the down
2 ballot races in an even year -- so the last year we
3 had -- we had several proposals on the ballot. Prop
4 number 1 in a presidential year, we looked at the
5 turnout for that proposal, not for the president.
6 That was 51 percent. For president, it was about
7 60 -- 59 percent.

8 So let's -- let's, you know, 8 percent
9 drop off. It is not small amount of drop off, but
10 51 percent for the ballot proposal number 1 on the
11 back of the ballot is still more than two times the
12 number of people who voted for the mayor of the
13 largest city in the country in an odd-number year.

14 So even today, those down ballot races
15 receive much, much, much more voter attention than the
16 kind of high profile races in the odd year.

17 MS. SAVINO: Thank you. Thank you so
18 much.

19 MS. GREENBERGER: Yes --

20 MR. KIERNAN: I just want to understand
21 your proposal. I understand the desirability of
22 even-year elections. But specifically on your
23 proposal, are you suggesting that we change the
24 charter generically simply to say we support even-year
25 elections, leaving it up to the state to decide

1 through the constitutional process whether it is
2 presidential years, gubernatorial years, or exactly
3 what the process is?

4 And doesn't that, either way, whether
5 we're more specific or less specific, really open it
6 up to the likelihood of a further new charter
7 commission having to revise whatever we do because the
8 state constitutional process has become specific and
9 we have to abide by it?

10 MR. WEINBERG: So I think there are two
11 ways of looking at it. Because the way that the state
12 proposals have -- so the state proposals so far have
13 developed the mechanism for transition in such a way
14 where the -- they lay out a process where, as I
15 mentioned earlier, you cut one year off the next term
16 after the enactment of the bill.

17 So the year, whether it moves through a
18 gubernatorial or presidential year, kind of just
19 depends on the year you are currently holding your
20 odd-year election. So for example, if that -- if that
21 passes, New York City, Albany, Rochester, and other
22 cities move to a presidential election. But
23 Yonkers --

24 MS. GREENBERGER: I think your mic went
25 out.

1 MR. WEINBERG: Can you hear me? Oh,
2 sorry. So I was saying the -- for example, New York
3 City, Buffalo, Albany would move to a presidential
4 election under that mechanism. Yonkers who is --
5 Yonkers -- I think battery is probably out 'cause it
6 keeps going in and out.

7 Yonkers, who is -- that is -- that
8 currently hold -- hold their election in 2023, would
9 move to a gubernatorial election. All that is to say
10 that yes, we think the safest bet is to say --
11 let's -- in this charter, to say if the state makes --
12 allows New York City to change its election, election
13 shall be held in even-numbered years instead of the
14 current language, which says every four years since
15 1965.

16 MR. WEISBROD: -- simple answer --
17 you're recommending simply a generic change to even
18 years and leaving exactly what happens after that --
19 the constitutional process?

20 MR. WEINBERG: Yeah. I -- I would just
21 say we -- we could develop it further. I -- I think
22 there are ways about the -- the mechanism for
23 transition in the charter process. You could -- you
24 could include the same language or, for example, the
25 same mechanism that the state has in -- in the city

1 charter.

2 MR. WEISBROD: But we don't know what
3 the state will do until the state does it.

4 MR. WEINBERG: Right. But you can
5 develop that -- if the state -- if the -- if the
6 constitution changes to require New York City to hold
7 its election on even years, whatever you put in the
8 charter -- in any case. But if it does allow the city
9 some leeway in developing its own election calendar,
10 then that would go into effect, the -- the transition
11 mechanism that you develop. Does that make sense?

12 MS. GREENBERGER: It's a multi-step
13 process that requires state involvement as well.

14 MR. WEINBERG: Yes.

15 MS. GREENBERGER: Any other questions?
16 Thank you both very, very much.

17 MR. WEINBERG: Thank you.

18 MS. GREENBERGER: We're going to return
19 to Zoom, and we're going to ask two speakers to come
20 forward and then, as a panel, we'll ask questions. So
21 I would like Eric Budd and Greg Dennis to join us.
22 We'll start with Eric and then turn to Greg and then
23 we'll -- if you, Eric, would stick around in case we
24 have questions for both of you. Go ahead.

25 MR. BUDD: Okay. Thank you very much.

1 My name is Eric Budd. I live in Boulder, Colorado.
2 I'm a co-founder of two non-profit organizations here,
3 People for Voter -- Voter Turnouts and Bedrooms are
4 for People. And the work in these organizations that
5 I've done is really at the intersection of municipal
6 voter representation and housing.

7 So I -- I'm here to talk about election
8 timing as well. So our organizations have helped lead
9 on research and campaigning to move Boulder's
10 municipal elections to November, even years, like you
11 all are proposing here, aligned with the state and
12 federal elections. That measure passed in Boulder in
13 2022 and will be fully implemented in 2026.

14 I believe that every city should move
15 their elections to align with the state and federal
16 elections because that's when the highest number of --
17 of people are voting, particularly in the presidential
18 years.

19 Our democratic processes and -- and
20 representation really work best when everyone is able
21 to vote and participate in these elections equally.
22 And moving the election timing is the single most
23 effective way to increase voter turnout.

24 The other most important aspect in --
25 in addressing the election timing is not just how many

1 people are represented in these elections, but -- but
2 who is represented. Off-cycle municipal elections,
3 like New York City's, greatly reduce turnout among
4 people of color, young people, students, renters, and
5 other marginalized demographics.

6 Ultimately, when these voices aren't
7 heard in -- in our elections, their input is also
8 lessened when it comes to implementing policy. It's
9 important to understand that the offset of election
10 timing leads to a systemic reduction in voter
11 participation that is not equitable across the city.

12 One of the policies that tends to be
13 most negatively affected is housing, which I know you
14 all are concerned with as a body. All of our data and
15 research has shown that off-cycle election --
16 elections most prominently over -- overrepresent
17 homeowners, particularly those in single family homes,
18 who are older, wealthier, and housing secure. And
19 this has a significant effect on the seriousness that
20 cities in their efforts -- in their efforts to address
21 the housing crisis.

22 The benefit of the even-year elections
23 are significant for a lot of reasons. I do want to
24 address the common concern that's already been raised
25 in this meeting, that crowds will be a longer --

1 longer and elections more crowded. The two million
2 things to consider here are that longer ballots
3 typically are a benefit to turnout as there are more
4 issues that people want to weigh in on and draw them
5 to actually cast a ballot.

6 While -- while down ballot drop off in
7 voting is always a concern, the increase in the total
8 number of people turning in ballots and voting in
9 onsite elections by far outweighs the marginal
10 increases in down ballot drop off from people not
11 finishing their entire ballot.

12 So I want to thank you for
13 consideration of this issue for the New York
14 Charter -- Charter committee, and I'm happy to answer
15 any questions. Thank you.

16 MS. GREENBERGER: Terrific. So just
17 stick around for a minute.

18 I'm going to ask Greg Dennis to join
19 us.

20 MR. DENNIS: Hi. Thank you. Thank you
21 to the commission for inviting me to speak. My name
22 is Greg Dennis. I'm policy director for Voter Choice
23 Massachusetts, a statewide organization that promotes
24 ranked-choice voting in Massachusetts.

25 Two years ago, we initiated the effort

1 to bring ranked-choice voting to Boston city
2 elections, and we were thrilled to see it pass the
3 Boston City Council last month. It has since been
4 signed by the mayor and now heads to the state
5 legislature for approval.

6 I understand the commission is
7 interested in the Boston proposal because it involves
8 a kind of top-four nonpartisan primary followed by a
9 general election with ranked-choice voting similar to
10 the Alaska system. I'll provide some background on
11 municipal elections in Massachusetts to understand how
12 we arrived at that proposal.

13 The first thing to know about municipal
14 elections in Massachusetts is that they're virtually
15 all non-partisan today and have been so for decades.
16 If you run for local office here, your party
17 affiliation does not appear on the ballot, and there
18 are no party primaries or caucuses to nominate
19 candidates.

20 In lieu of a party primary, most cities
21 in Massachusetts, including Boston, hold what we call
22 a "preliminary election," usually six weeks before the
23 general election to winnow the field of candidates.
24 In Boston, if there are three or more candidates in
25 the race for mayor or district city council, a

1 September preliminary election is held to narrow the
2 field down to two candidates who face off in the
3 general election.

4 The benefit of the preliminary election
5 is that by reducing the field to two, they ensure that
6 the winner of the general election has a majority of
7 the vote.

8 However, they also offer a number of
9 downsides. They cost a lot of money to run. They
10 typically see very low turnout, meaning a small, often
11 unrepresented fraction of the public decides which
12 candidates make the general election. And they
13 depress turnout by offering us fewer options in the
14 November ballot.

15 For these reasons, our default
16 recommendation for -- in Massachusetts has been to
17 eliminate the preliminary election entirely and just
18 hold a single round RCV election featuring all
19 candidates in November as Councilor Morano suggested.

20 While that's been our default position,
21 that was not, in fact, our proposal for Boston. Since
22 Boston has seen some very crowded races in the past,
23 including 12 candidates in the 2013 mayoral race, we
24 encountered unique interest in Boston indicating some
25 narrowing of the field before the general.

1 For this reason, our Boston proposal
2 keeps the preliminary election, but instead of
3 narrowing the field down to two in single-seat races,
4 it advances the top four candidates in the general
5 election where voters can then rank those four
6 options.

7 Even with some narrowing of the field,
8 this model will offer Boston voters more voices and
9 choices in the general election, which is when most
10 voters are paying attention.

11 When I look at New York City elections,
12 I see a -- a similar problem to that of Boston wherein
13 voters are denied choices on the general election
14 ballot with many strong candidates routinely
15 eliminated from the primary.

16 In that light, moving to non-partisan
17 elections might seem like a clear win for voters, but
18 I don't think the decision is so simple. As I think
19 most political scientists will tell you, partisan
20 elections to give voters important cues that voters
21 rely on on the ballot, and they help organize issues
22 into coherent party platforms.

23 With that in mind, one compromise sort
24 of option to consider would be to adopt a nonpartisan
25 ranked-voting election, either single round or maybe

1 top-five -- you're already ranking five -- but with an
2 important addition taken from Minneapolis parts of the
3 elections, which would be to allow the candidate to
4 choose a political designation to be listed under the
5 name on the ballot.

6 In Minneapolis, the candidate can
7 choose whatever label they want, Democrat, Republican,
8 Socialist, Libertarian, Pizza Party, whatever, and
9 allow the candidate-chosen affiliation on a
10 nonpartisan ranked ballot might enable New York City
11 to have their cake and eat it too.

12 It could open up the general election
13 to more voices and choices for all voters while at the
14 same time giving voters these political designations
15 that they can identify with and rally around. And I'm
16 happy to take any questions.

17 MS. GREENBERGER: Terrific. Thank you
18 so much.

19 Any questions from the commissioners
20 for either Eric or Greg?

21 MS. SAVINO: I -- I think -- just one
22 quick question for the -- for the gentleman from
23 Colorado. So you moved to even-year elections. Has
24 it increased voter participation and turnout in a
25 meaningful way? If you know.

1 MS. GREENBERGER: Eric, that's a
2 question for you. Has moving towards -- to even years
3 increased participation?

4 MR. BUDD: Oh. Thank you. I put it on
5 mute. What we are -- we voted on this issue in 2022,
6 and as Mr. Weinberg previously mentioned that there
7 are a couple of implementations in how long it takes
8 to implement this. So our first even-year election is
9 actually in 2026. So I'm -- I'm very familiar with
10 the -- the turnout in even years versus odd years.

11 To give you an example, the turnout in
12 the city of Boulder in 2024 was about 83 percent,
13 whereas the previous election in 2023 for municipal
14 election was about 50 percent. So we do expect a
15 significant increase in participation in our -- in our
16 election in 2026, which being an -- an even year
17 off-presidential election should be in the range of 75
18 to 80 percent.

19 MS. BOZORG: And it's interesting, none
20 of you mentioned potential savings to -- to state and
21 local governments by consolidating elections into the
22 even years. So you eliminate the constant election
23 cycles -- because I haven't heard anybody talk about
24 that. There has to be some valuation of -- of the
25 savings.

1 MR. BUDD: Yeah. And I -- I think
2 that -- that's really dependent on the state to state
3 and city to city basis. So it really depends on
4 whether or not there will be fewer elections. In some
5 states, that will be the case. In Colorado, we will
6 still have elections in the November of odd years.
7 Those elections will largely be only for state and
8 local ballot measures as opposed to candidates.

9 MS. GREENBERGER: Thank you.

10 Any other questions --

11 Oh, yes, Rich. Sorry. You are --
12 muted, Rich, because we cannot hear you.

13 MR. BUERY: All right. Can you hear me
14 now?

15 MS. GREENBERGER: Yes.

16 MR. BUERY: Thank you. I have a
17 question for Greg. I just want to clarify. You --
18 you said that while your default recommendation in
19 Massachusetts would be -- as I understood you -- to
20 have a single election, no primary. But the
21 recommendation for Boston would be to have a -- a
22 top-X primary, given the number of candidates. Do you
23 have a similar perspective on New York based on our
24 recent -- history?

25 MR. DENNIS: I don't have a -- a

1 strong -- strong opinion on that. I think -- we went
2 into the Boston conversation saying, "Let's eliminate
3 your preliminary. We can save money by not having a
4 preliminary election at all."

5 And we received some pushback saying,
6 "Hey, we -- we sometimes have these very large fields,
7 and we don't know how voters are going to deal with
8 12 candidates on the ballot or what have you."

9 And we said, "Okay. Well, what if we
10 look at top four?" And that's how we arrived at that.
11 And that decision, I think it's an interesting balance
12 between do you deny options from the general election
13 ballot by having some primary preliminary? And that
14 denies some choice, but that can also simplify the
15 decision voters are making by limiting that choice.

16 So I think that's an interesting
17 decision. I mean, for New York City, I would not
18 consider top-two, and in fact, in terms of top-four --
19 you're already ranking five, so I would not really
20 consider top-four. I'd probably make the
21 determination if you want to do a single round in
22 November or do a top-five since you're already ranking
23 five. That's the decision I would -- I would make.

24 MS. GREENBERGER: Julie --

25 MR. BUERY: Thank you.

1 MS. SAMUELS: Thanks. Greg, I want to
2 follow up on Rich's question for a second. And this
3 might be a crazy idea, but one of the things -- I've
4 been thinking a lot about this particular challenge
5 with too many candidates. We have mayoral election
6 going on right now with arguably too many candidates.

7 And -- and so I'm thinking, is there
8 anywhere where perhaps you could put in a threshold?
9 And if you have, do you know of anyone that does this?
10 You could put in a threshold, and it's like, you know,
11 if more than seven candidates are making up that
12 number, are in the race, then you trigger a primary;
13 if you're under seven, then you have a single
14 election?

15 MR. DENNIS: Well, that's exactly what
16 we do in Massachusetts elections. We have a -- we
17 have a trigger based on the number of candidates
18 that -- more than that -- that number of candidates
19 running, you have this preliminary election today.

20 MS. SAMUELS: What is that number?

21 MR. DENNIS: The -- the formula is if
22 more than twice the number of candidates run as there
23 are seats. So if you're talking about a mayoral or
24 district city council race where it's one seat, you're
25 just talking if they're more than two candidates.

1 Now, we changed that for Boston with
2 our proposal -- or we're trying to change it with our
3 proposal -- where a preliminary distributive if
4 there's more than four candidates. If there's more
5 four -- than four candidates, you hold a preliminary
6 election to narrow it down to four.

7 So you could have something like that
8 in New York City. If there's more than four or
9 there's more than five, you hold this -- you call it a
10 preliminary. You call it a primary. Whatever you
11 want to call it to narrow it down to that number.

12 MS. SAMUELS: Thank you.

13 MS. GREENBERGER: Terrific. Thank you
14 all so much. Thank you for joining us.

15 We are going to return to in-person
16 testimony from Carl Unegbu -- and I'm sorry if I
17 mispronouncing that -- and Brendan Griffith, if you
18 would join us.

19 And I'm putting Perris Straughter on
20 notice that you'll follow.

21 So Carl and Brendan. And hold the mic
22 close to you.

23 MR. UNEGBU: Good afternoon --

24 MS. GREENBERGER: A little bit closer.

25 MR. UNEGBU: Closer. So thank you for

1 having me. My name is Carl Unegbu. I serve -- I
2 serve on the community board in Manhattan, but -- and
3 I also -- I am the vice chair of the American
4 Constitution Society. But I have to say, right now,
5 that I am not here as a representative of that -- that
6 position. I am here -- I am --

7 MS. GREENBERGER: I think if you just
8 stay close and keep talking, it should pick -- pick up
9 on --

10 MR. UNEGBU: I hope it -- I hope it
11 does -- yeah. Thanks. So -- but I have paid
12 attention to these issues in the various capacities
13 that I have worked in the past, whether as a
14 functionary of the Democratic Party or in my other
15 situations where I did some research on this kind of
16 issue. So I'm here in that capacity, not as a
17 representative of the Constitution Society.

18 So first of all, my take on this thing
19 is to -- I mean, look, first, much of the concern
20 about voting methods and the innovation about the
21 electoral systems springs from the low turn out in New
22 York elections, which at this point, is very chronic
23 and abyssal.

24 I mean, New Yorkers, they tend to pay
25 more attention to things happening in Washington in

1 terms of their voting pattern than voting in New York
2 City elections, New York City, where they live. So
3 that's a problem.

4 Now, I support -- in my think pieces I
5 have written, ranked-choice voting to be complimented
6 by open primaries. Well, the passion with which I
7 advocate is each -- this combination depends on the
8 jurisdiction that I -- I am talking about.

9 And I'm also concerned about
10 ranked-choice voting and open primaries at the federal
11 level as much as I'm concerned about that in New York
12 City for two very clear reasons.

13 One, New York City is almost like a
14 one-party state. I mean, the city got sort of redder
15 in the last presidential election -- red, but still,
16 it is a safely blue state. And if I were running for
17 anything, I would be happier with my chances as a
18 Democrat, then as a Republican in any election in the
19 city.

20 So for that reason, the system we have
21 here of closed primaries is a particular problem
22 because the folks who are unaffiliated or folks who
23 are Republicans or Democrats, as the case may be,
24 usually don't get to participate in the primaries,
25 especially of the Democratic Party, for instance,

1 which usually turns out to be the decisive election in
2 the city.

3 So to that extent, they get
4 disenfranchised when it comes to making an input in
5 the direction of public policy. So that's a real
6 problem now. To open up the primaries would introduce
7 an element of competitiveness. With competitiveness
8 comes some kind of uncertainty of the outcome, which
9 then motivates candidates to engage more with the
10 voters and for the voters to really care about the
11 election in the first place.

12 So for those reasons, I kind of think
13 that New York City should adopt a open primary system
14 to enhance voter participation. I guess I would be
15 more inclined to answer more questions --

16 MS. GREENBERGER: Thank you so much.

17 MR. GRIFFITH: Good evening,
18 commissioners. My name is Brendan Griffith. I am the
19 chief of staff at the New York City Central Labor
20 Council, AFL-CIO, which represents over three hundred
21 unions and more than one million union members across
22 the five boroughs.

1 are not neutral. While some who support this idea may
2 be well-intentioned, jungle primaries have also been
3 backed by the same kinds of interests, billionaires,
4 corporate groups that want to weaken labor unions,
5 community organizations, and political parties that
6 speak for working people.

7 When this kind of proposal was pushed
8 more than 20 years ago, it came from wealthy
9 interests, frustrated that working class New Yorkers,
10 through their unions and community groups, had too
11 much influence. Even today at this commission, it is
12 concerning that there is not a single member appointed
13 specifically to represent the interest of the labor
14 movement and working people.

15 Unions and community groups are how
16 everyday New Yorkers get a voice in the political
17 process. We help working people understand the
18 issues, talk to each other about candidates, and get
19 to the polls. Labor is one of the most effective
20 civic institutions New York City has because of our
21 decades of organizing experience.

22 When turnout increases, it's because
23 unions, community organizations, and political parties
24 are out talking to people. As labor organizations, we
25 knock on the doors, we make the calls, we talk to our

1 members in their workplaces and in their communities.
2 Member-to-member outreach and direct voter contact are
3 proven tools to bring working New Yorkers into the
4 democratic process.

5 If the commission is serious about
6 increasing voter turnout, we join our partners in
7 encouraging you to consider aligning city elections
8 with even-numbered years when brothers are already
9 showing up for federal and state races. This is a
10 change rooted in data and in reality.

11 And -- you know, I believe there was an
12 estimate from the New York City IBO that every other
13 year the city would save \$42 million if they did that.
14 We cannot support proposals that would effectively
15 sideline labor and other organizations from this
16 process.

17 Primary elections are one of the most
18 important opportunities union members have to
19 meaningfully shape the direction of their city.
20 Replacing them with a process that rewards massive
21 outside spending and candidate self-branding would not
22 create more democracy. It would make it easier for
23 the wealthiest New Yorkers to buy the outcomes they
24 want while shutting working people out. Thank you for
25 the opportunity to testify this evening.

1 MS. GREENBERGER: Thank you both so
2 much.

3 Any questions from our commissioners?

4 MS. SAVINO: My question's more of a
5 comment. I hate to debate my brothers in the labor
6 movement, but there is not a unanimity of opinion
7 amongst labor organizations on this issue either.

8 Some unions are supportive of the idea
9 of -- of open primaries nonpartisan elections because
10 they see the same trend in their membership as
11 disenrolling from the major parties, becoming
12 unaffiliated voters, thereby locking themselves out of
13 that very participatory process that unions have
14 traditionally engaged in.

15 In 2003, I was then the vice president
16 of a city union DC37. We were all -- we all engaged
17 in an effort to defeat that ballot proposal that would
18 create nonpartisan elections. That was a very
19 different time, not just for the Democratic Party, the
20 Republican Party, the city of New York, but for the
21 labor movement as well.

22 And what we've seen in the past
23 20 years is voter participation, both among the
24 general public and union members, has plummeted and
25 largely because voters are -- they're telling us

1 something. They don't like the product that they're
2 being offered.

3 And so I'm just curious as to if --
4 the -- the union's ability to influence its workers'
5 members to engage them in local politics, to get them
6 to participate in GOTV efforts or -- or campaign for
7 their preferred candidates. None of that would
8 change.

9 It would just be a different -- they --
10 they would be voting instead of a closed primary in an
11 open primary, but that influence would still be there
12 because that's the power of the labor movement. It's
13 not the party. So I'm just curious as to, like, why
14 this deep concern that this would somehow marginalize
15 unions?

16 MR. GRIFFITH: Sure. No, I -- I think
17 that's -- that's a fair point, and I would just say
18 that defining unity in the labor movement is -- for
19 anybody that's worked with it, I would say while not
20 impossible, you know, what a difficult undertaking.

21 So while that's not exactly what we
22 seek, I would say that a number of the members of the
23 executive board of New York City Central Labor Council
24 support this position. The conversations we've had,
25 we've seen lots of support among the labor movement.

1 I think where we have concerns is that
2 where as a -- a partisan primary, where there's a
3 discussion of policy, you know, through the Democratic
4 Party, through the Republican Party, that would be
5 diluted, and it would almost become a -- a contest of
6 personality, which we have seen in some elections in
7 the general election.

8 I will say that, you know, while voting
9 trends have gone down, we are just going through a
10 process of getting New York City voters used to
11 ranked-choice voting. You know, throwing another
12 element into this could be challenging. I would also
13 say that while it has decreased union membership,
14 union members have voted in an outsized way relative
15 to the general population.

16 And additionally, when you look at the
17 numbers from the 2024 elections, even in a general,
18 you see that -- I would say one, the percentage of
19 Republicans who voted was higher than the percentage
20 of Democrats who voted, as well as the fact that
21 Independent voters, less than half of them voted when
22 they had an opportunity to participate.

23 So, you know, I think there are a
24 number of challenges that this could say that -- that
25 this identifies as -- as I said, there are very

1 well-intentioned people that might be supportive of
2 it, but I do think it would dilute the -- the voice of
3 workers and allow for outside interest to come in and
4 have an outside influence.

5 MS. SAVINO: I -- I -- again, I don't
6 like to disagree, and I'll leave it at this. I think
7 you guys are underestimating your ability to influence
8 your own -- your own membership. They care more about
9 what the union thinks than most political parties.

10 So whether we move to open primaries,
11 nonpartisan elections, final four, or top-two,
12 whatever we decide to come up with, I think the labor
13 movement will be fine because the labor movement is
14 the only organization that actually speaks to working
15 people. No political party ever did.

16 MR. GRIFFITH: I'll say I completely
17 agree with the last sentiment in your comment. Thank
18 you.

19 MS. GREENBERGER: Any other question?
20 Thank you both so very much.
21 Appreciate it.

22 We will now ask Perris Straughter to
23 join us, and I will put on Zoom on notice John Kaehny
24 and Dan Schnur. You'll be up after Perris.

25 Good evening.

1 MR. STRAUGHTER: Good evening. Can I
2 start?

3 MS. GREENBERGER: Yes. Please.

4 MR. STRAUGHTER: My name is Perris --
5 well, first of all, thank you for the opportunity. My
6 name is Perris Straughter, and I'm the director of
7 Planning and Land Use for the New York City Council.

1 comprehensive plan for our housing needs by
2 establishing transparent housing targets to hold every
3 neighborhood accountable for contributing its fair
4 share.

5 Despite this clear record of -- of
6 proactive leadership, the commission's discussion has
7 centered on the alleged role of the city council as an
8 obstacle. This overlooks the biggest challenge to
9 produce housing while selectively acknowledging how
10 one part of government can be influenced to oppose
11 housing and ignoring the executive's branches
12 vulnerability to influence. This ignores the very
13 real and democratic checks and balances and land use
14 decisions.

15 The 1989 charter revisions replaced the
16 undemocratic Board of Estimate with a representative
17 city council that provided every New Yorker with an
18 equal vote on land use matters. This change came
19 after major outcry on land use decisions that were
20 outright racist and leveled black and brown
21 neighborhoods, concentrated poverty, and segregated
22 the city by race and class.

23 We know that without a check on
24 executive control, appointed power brokers can destroy
25 and remake neighborhoods. Recent events in our city

1 have left New Yorkers questioning whether the mayor
2 has our best interests at heart. And there's a
3 growing trend of executive overreach being normalized.

4 Our nation's president has led on that
5 and created a constitutional crisis or constitutional
6 crises -- excuse me -- that undermine the democracy
7 and the separation of powers. Black, Latino, and
8 immigrant communities are under attack. A
9 gentrification has contributed to increased
10 displacement.

11 I ask this commission, do we really
12 want to go back to a time when communities had less
13 representation? What guarantees do we have that the
14 mistakes of the past will not be replicated? Can I
15 continue?

16 MS. GREENBERGER: Yes. Please do.

17 MR. STRAUGHTER: No. We should make
18 reforms that promote housing production and ensure
19 accountability, while preserving the power of local
20 communities to have input in projects and policies
21 that affect their neighborhoods.

22 The city council is the most
23 representative part of the city government. Our
24 members understand these communities at the most
25 granular level. The mayor and president -- I'm

1 sorry -- the mayors and borough presidents are no less
2 affected by political interests, communities, real
3 estate developers, lobbyists, et cetera.

4 The checks and balances in New York
5 exist to prevent one branch of government from
6 becoming too powerful. But the council does support
7 reform. The council agrees that there are certain
8 types of minor -- of minor or clearly beneficial
9 applications where the ULURP process is an obstacle,
10 including resiliency and sustainability-related
11 actions to protect against the effects of climate
12 change.

13 The council also supports reforms that
14 build on the Fair Housing Framework law, including
15 prioritizing neighborhood planning efforts in
16 community districts that are failing to meet their
17 targets. Such ideas as requiring DCP, the Department
18 of City Planning, to propose land use actions in
19 response to the framework.

20 Increasing out of accountability for
21 community districts that fail to meet fair housing
22 targets, such as requiring community boards to approve
23 land use changes that would -- that would achieve fair
24 housing targets and providing them options and
25 resources for them to initiate plans as opposed to a

1 plan that's always initiated by the Department of City
2 Planning.

3 Increasing the speaker of the city
4 council's authority to hold council members
5 accountable for advancing land use changes in
6 community boards that are not meeting for housing
7 targets. This would maintain the council's power to
8 engage and problem solve while giving the speaker as
9 opposed to the council of -- of -- as opposed to the
10 council as a whole, the power to decide what comes to
11 the council for a vote.

12 The council wants to increase the
13 capacity of the Department of City Planning and other
14 city agencies to support communities willing to
15 proactively plan and to help address the housing
16 crisis. DCP often says "no" to communities that want
17 to plan and want to rezone due to a lack of capacity.

18 But the most effective way to
19 sustainably build lots of housing, especially
20 affordable housing, is to advance neighborhood plans
21 and rezone neighborhoods. We broadly believe that DCP
22 and city agencies should -- city agencies should be
23 provided with increased capacity for engaging in
24 proactive planning.

25 The Department of City Planning should

1 have a responsibility to engage the public around
2 planning issues beyond re-zones, educating the public
3 about neighborhood-specific needs for infrastructure
4 and for new housing. Thank you.

5 MS. GREENBERGER: Thank you so much.
6 I'd like to start with just a general statement. I
7 think on behalf of my fellow commissioners, I think
8 one of the things that we've been struggling with,
9 which we've heard so much about, is how to really
10 enforce something like the Fair Housing Framework.
11 How do we keep people accountable to meeting those
12 targets?

13 You talked a little bit about how you
14 might -- how you proposed to do that. One was giving
15 the speaker more authority to hold those council
16 members accountable. Can you talk a little bit more
17 about how to truly enforce then accountability of
18 either the framework or the targets or any other
19 comprehensive measure that we might want to take into
20 account?

21 MR. STRAUGHTER: Yeah. Well, I -- I
22 think there's two components about -- of that.
23 There's -- on one hand, providing -- well, intention
24 and resources around actually enabling land use
25 actions that occur in those areas. So these

1 neighborhoods that are not meeting housing -- fair
2 housing targets.

3 And then there's kind of legally how do
4 we actually help hold the structures and the ULURP
5 process accountable so that, you know -- so addressing
6 number 1 first, you know, our housing crisis is not
7 going to be solved through just private applications.

8 If we want to see the needle move in
9 these neighborhoods, particularly neighborhoods that
10 are not addressing the -- the housing need and not
11 contributing their fair share, we need to actually
12 plan in these neighborhoods. And that's re-zoning,
13 but it's also about infrastructure, et cetera. So
14 that requires resources. That requires
15 intentionality.

16 And I think there really needs to be
17 a -- there really needs to be something that directs
18 the administration as well as city council to do that.
19 And I think that could start with community boards by
20 actually giving them the tools and giving them
21 increased power with, again, the -- the directive that
22 they have to actually meet those housing targets and
23 that they -- they're not going to be able to avoid
24 that. So that's one.

25 On number 2, there's ways that -- I

1 mentioned the -- giving the speaker more power as
2 opposed to the council as it relates to applications
3 that the council takes up to remote. That's something
4 that could be changed that would give the speaker more
5 power relative to individual members and the council
6 as a whole. And that could help, in theory, with
7 this -- this problem.

8 You know, at the end of the day, you
9 know, if -- if our institutions are functioning
10 properly, they require a certain amount of leadership.
11 They require a certain amount of integrity, et cetera.
12 They require checks and balances. That's a large part
13 of what I've been saying today.

14 You -- you know, you're not going to
15 get out of the -- the requirement that there --
16 there's some checks and balances, but by giving the
17 speaker more power relative to an individual member,
18 it changes the power dynamics, and I think ways that
19 can really influence land use outcomes where there are
20 problems.

21 And I happen to think the problems are
22 more limited than that's been talked about, but
23 certainly there -- there are -- there are problems.

24 MS. GREENBERGER: And just one more
25 question. How would you move the council members

1 individually to reach that same consensus point that
2 you are at?

3 MR. STRAUGHTER: How do we move the
4 council members individually?

5 MS. GREENBERGER: Yeah. To -- to
6 enable speaker authority, I'd say.

7 MR. STRAUGHTER: Well, I guess what I'm
8 saying is that there's probably a legal way where you
9 can just empower the speaker. So I think that's the
10 thing to explore more. But in terms of, you know,
11 influencing council members and moving them to do
12 what's needed, I mean, that's what I do every day.
13 Every single day. And of course, speaker's office has
14 a huge role in that as well.

15 MS. GREENBERGER: Sure.

16 MR. STRAUGHTER: And -- and I should
17 say other council members. You know, people look at
18 the council as, like, individual members when it comes
19 to land use, but that's not actually how it works.
20 The individual member might be taking the lead on
21 negotiations, but the subcommittee members are
22 involved.

23 The land use committee members are
24 involved. Speaker's office is involved. The
25 leadership of the council, which is the speaker and

1 certain key folks, council members, they're involved.
2 There's a lot of kind of players in the mix to get to
3 an eventual negotiated solution on the project.

4 MS. GREENBERGER: Carl.

5 MR. WEISBROD: A lot of what you said
6 that --

7 MS. GREENBERGER: Lean in.

8 MR. WEISBROD: I'm sorry. There's a
9 lot -- a lot in what you said that certainly does not
10 report with reality over the last two decades or three
11 decades. And particularly, the issue of -- of
12 member -- is that not working?

13 UNIDENTIFIED SPEAKER: No.

14 MR. WEISBROD: Particularly the issue
15 of member deference and the reality that I think one
16 housing project in the last two decades or so has been
17 approved over the council member's objection. And I
18 think we're struggling with this issue of what is the
19 balance between what a particular council member might
20 want and the needs of the city as a whole.

21 You talked about increasing, enhancing
22 the power of the speaker and, as you know, one of the
23 proposals that we are now considering is having an
24 appeal from a negative council vote to a three-party
25 appeals board, basically, of the mayor, the speaker,

1 and the relevant borough president.

2 Wouldn't that be a way of enhancing the
3 power of the speaker in two ways? One, empowering the
4 speaker to have more influence over an individual
5 member on the front end, and then in a position to
6 correct miscarriages of policy on the backend.

7 MR. STRAUGHTER: Yeah. I think, I mean
8 on the -- on its face, that proposal, you know, has
9 some -- some logic, right. I think that the -- where
10 I disagree with you Mr. Weisbrod is that, you know,
11 there's been very limited times where the -- the
12 council as a whole has overridden an individual
13 member.

14 MR. WEISBROD: I will say I was part of
15 the last time it was done. And it was some ten years
16 ago so --

17 MR. STRAUGHTER: Yes. Yeah. And
18 yeah -- well, I was -- I was not here, but I was on --
19 on the administration side, I think, as well. I was
20 here. But anyway, I think that's a testament of
21 success rather than failure. So I see it very
22 differently.

23 Also, there's what happens in terms of
24 a public vote? What you don't see is the negotiation
25 that happens behind. And there are plenty of times

1 where council members have very legitimate concerns
2 about land use proposals.

3 And at the -- on the other hand, the
4 administration or the developers are not willing to
5 kind of move on those things. And actually figuring
6 out how to get to a good place and get to a "yes" is
7 extremely hard work that requires, like I was talking
8 about earlier, interventions from other council
9 members, interventions from -- from folks beyond the
10 individual council member.

11 So I think that kind of inside process
12 is not something that's, you know, widely seen. But
13 because of that process, what I -- what you
14 characterize as a long period of time without the city
15 council overruling an individual member, I consider a
16 success.

17 MR. WEISBROD: Well, let me just
18 continue with that for a bit. First, I -- I think you
19 more or less accept my proposition that we want to
20 give the speaker more power. And one way to do it
21 would be to have the speaker as a part of an appeals
22 process as opposed to a veto where the mayor vetoes
23 and the entire council simply overrides the veto in a
24 process that we -- we know is -- is has a foregone
25 conclusion.

1 So -- and the second thing I bring to
2 your attention, which I know you know, is that we've
3 had a lot of testimony here from developers, real
4 estate interests, communities and others, even from
5 council -- former council members that say they won't
6 even bring a private application into the ULURP
7 process if they know that the local council member at
8 the end of the line is simply going to veto it because
9 the council will back up that council member.

10 And that's a -- that's a concern that,
11 while I agree that area wide re-zonings are desirable
12 and important, we do need individual re-zonings as
13 well. We do need small developers, particularly, who
14 have to invest a lot of money upfront being prepared
15 to come through the legislative process and not simply
16 be stared down at the beginning of it or even before
17 the beginning of it by a council member who says, "I
18 won't have anything to do with this."

19 I -- I mean I -- I -- it's a -- it's a
20 problem that we're really wrestling with, and I think
21 we've come up with at least one way of dealing with
22 it. And I think I'm hearing you saying that that's at
23 least something you're receptive to.

24 MR. STRAUGHTER: Well, no, the appeal
25 board as currently proposed is not something the

1 council supports, but I -- I acknowledge that it seems
2 like, you know, a solution to balance. I -- I didn't
3 say -- there was another thing I wanted to say about
4 it, so just quickly acknowledge me.

5 I think the complexity of that
6 structure and questions that it engenders for me is,
7 well, what triggers the appeal? Is it every project?
8 Is it certain projects? And also what I said in my
9 testimony around, you know borough presidents and the
10 mayor not being -- not being -- they are also able to
11 be influenced by YIMBY interests, developer interests,
12 special interests.

13 So having that appeal body really kind
14 of complicates the negotiation. City council's made a
15 lot of success in terms of making projects more deeply
16 affordable, bringing affordability projects that
17 weren't there to begin with if there wasn't MIH on the
18 table, for instance.

19 So the -- the complexity of the
20 negotiation process that is supposed to advantage
21 local communities and local neighborhood residents
22 through the city council member leading that process,
23 I question how that -- how that appeal board having
24 two-thirds of its members from either boroughwide or
25 citywide -- how does that -- how does that influence

1 those negotiations?

2 MR. WEISBROD: Well, and it influences
3 the negotiations by having the council members as a
4 whole, and particularly a local council member, being
5 much more flexible than he or she might otherwise be.

6 But let -- let me just go back to your
7 answer to Ms. Greenberger's question, which I didn't
8 entirely follow. I followed it on the -- in terms of
9 the informal process. Although I -- I will say -- at
10 least my experience is that generally on area wide
11 re-zonings and receiving proposals from communities,
12 communities are, shall we say, much less aggressive
13 in -- in supporting housing than -- than the city as a
14 whole is, irrespective of administration.

15 But on the legal answer to how the Fair
16 Housing Framework could be enforced, I didn't really
17 understand what you were proposing in terms of how the
18 Housing Framework could be enforced legally other
19 than, more or less, the arrangement that we are
20 considering where the council's speaker has a lot of
21 power.

22 MR. STRAUGHTER: Yeah. No, thanks for
23 that. So one idea that I -- I alluded to in my
24 testimony is around how applications come to the city
25 council for vote or not. Some applications are

1 mandatory, which means that the city council must vote
2 on them. Other applications are discretionary, and
3 there's different types of discretionary actions.

4 But essentially, either the individual
5 council member or the chair of the land use committee
6 can call them up or not. And one potential tool could
7 be a speaker call-up where instead of actions being
8 necessarily automatically taken to the council as a
9 whole for vote -- so it -- basically the council votes
10 on whether to vote on those applications.

11 It seems a little strange, but
12 that's -- this is what we do. Instead of the council
13 as a whole taking that vote, it could be something
14 that is in the hands of the speaker. And that does
15 change the kind of politics around what gets decided
16 to be brought to the floor. And then there's other
17 precedent for this.

18 It's not unlike the way certain
19 committees are intended to work, particularly at
20 the -- the national level. You don't see that as much
21 on the city level because the council makes their own
22 rules on -- on legislation. But that -- that's the --
23 that's like one alternative idea isn't -- is looking
24 at the ability for the speaker to say what comes to
25 the council for a vote as opposed to the council as a

1 whole.

2 MS. WYLDE: Well, they used to have
3 that ability, and the council itself could restore
4 that ability to the speaker just like they took it
5 away.

6 MR. STRAUGHTER: -- council rules.

7 Yeah.

8 MS. WYLDE: So they don't need a
9 charter change for that.

10 MS. LAREMONT : Correct.

11 MS. GREENBERGER: -- Anita, do you have
12 a question? I want to recognize --

13 MS. LAREMONT : I do.

14 Hi, Perris. I just wanted to -- to say
15 a thing and then ask you a question. You know, I
16 think we on the commission all agree that we really
17 have a true crisis in terms of the production of
18 housing in the city. It's a crisis. We're not
19 anymore able to just incrementally increase the number
20 of housing units if we don't want people to end up
21 having to flee the city.

22 So we are really struggling here to
23 find something that will sort of change the dynamics
24 of the number of housing units on an annual basis that
25 are created through our land use process. And you

1 know, I heard all of the things that you said, but I
2 didn't understand from those things what of those
3 things is going to drastically increase the number of
4 units.

5 Because one of the things that we heard
6 from the very outset of people who studied this all
7 over the country is that the automatic privilege that
8 we are talking about right here is one of the things
9 that in almost every city in the country stands in the
10 way of production because small neighborhoods have
11 parochial interests that need to be protected through
12 their elected representatives.

13 And the system that we have where the
14 individual council members are deferred to in land use
15 decisions is a reason that we don't get more units.
16 And I mean, in all my years working with the city, you
17 can't tell me that -- that there's no truth to that.

18 Even if a re-zoning is approved, there
19 typically are less units that come out of the end of
20 it than there would've been at the start of it. And
21 so, I just am wondering what it is in your thoughts
22 that would change that to allow us to get more units
23 because I don't see it, other than doing something to
24 change the structure.

25 MR. STRAUGHTER: Yeah. No, I

1 appreciate that. I think -- so I'm not going to say
2 that -- that some certain applications do not come
3 through or don't start the process or aren't
4 right-sized, I would say, through the process.

5 But I think talking about the scale of
6 the housing crisis and the scale of an intervention we
7 need to move the lever or move the needle on the
8 housing crisis, it's not going to be private
9 applications from individual developers across the
10 city that -- that change that.

11 I mean, that -- that's a part of it,
12 but it's smaller part of it. What is going to -- what
13 is needed to actually affect the housing crisis is
14 neighborhood-level interventions that are, at times,
15 transformative.

16 You know, what we're doing in these --
17 these five neighborhoods is really unlocking a lot of
18 housing opportunity. It's making a big change as
19 opposed to smaller changes, and it's unlocking a lot
20 of units at all -- at the same time.

21 In my mind, we should be doing this
22 much more than we're doing, and I understand capacity
23 constraints, you know. And I understand budget
24 constraints, but we're not going to unlock a whole
25 bunch of new -- even if we made a lot of housing as of

1 right.

2 Like if we started allowing, you know,
3 a lot of density and low density areas, which we're
4 not -- we're not proposing to do -- it was a hope --
5 that doesn't necessarily -- won't necessarily move the
6 needle either because there's reasons that -- reasons
7 beyond zoning that those low density neighborhoods are
8 often underbuilt.

9 I recognize zoning as a major obstacle,
10 and parochialism is a major obstacle. But there's
11 also market conditions that are a real obstacle to
12 housing development of scale in those areas. We need
13 to increase housing where it makes sense to put
14 housing, where there's infrastructure to put housing,
15 you know, and along with infrastructure that could be
16 improved to enable more housing in those areas.

17 It's a real planning effort that -- you
18 know, I've worked in other cities. Other cities are
19 way ahead of us on this front, in part, because we
20 don't have a comprehensive planning process. We don't
21 have real kind of neighborhood planning infrastructure
22 in this city, and I think, you know, you didn't -- I
23 didn't mention comprehensive planning in my testimony
24 because there's issues with that as well.

25 I know others have testified around

1 that, but -- but a neighborhood planning piece and
2 thinking through zoning interventions that are at
3 scale and not reliant just on individual private
4 applications is really how we move the needle.

5 MS. GREENBERGER: Thank you very much.
6 Appreciate that.

7 MR. STRAUGHTER: Thank you.

8 MS. GREENBERGER: Thanks for taking the
9 time to be here. Really appreciate it.

10 We're going back to Zoom to hear from
11 John Kaehny and Dan Schnur, and while we're doing
12 that, I will remind others online, there is an online
13 form if you wish to testify. So please make sure you
14 take advantage of that.

15 And I would ask both John and Dan, John
16 will go first. If you would then stick around while
17 Dan speaks in case we have collective questions.

18 MR. KAEHNY: Great. I'm John Kaehny,
19 executive director of Reinvent Albany. We advocate
20 for transparent, accountable New York government and
21 fact-based public policy. We've drafted and passed
22 dozens of city and state laws, and government
23 officials and journalists often consult with our staff
24 experts.

25 So this commission's preliminary staff

1 report emphasized many longstanding concerns about
2 very low voter turnout, embarrassing low turnout, and
3 noted that one million New York City voters are
4 unaffiliated and can't vote in party primaries,
5 including the New York City Democratic Party primary,
6 which is extremely important for us as like the mayor.

7 As an aside, I'd note that a person
8 who's enrolled by automatic voter registration, AVR,
9 which has been long sought by voting advocates, is not
10 enrolled in a political party. It's up to them to
11 reach out to their local board of elections to
12 re-register. And that's an important thing that we
13 should think about when we think about unaffiliated
14 voters.

15 So today, Reinvent Albany is sharing
16 Professor John Mollenkopf's new estimate of the party
17 affiliation of New York City voters by age, sex, and
18 racial group, which he calculated at our request, and
19 we provided to committee staff. Professor Mollenkopf
20 is the director of the Center for Urban Research at
21 CUNY Grad Center.

22 He's known to many of you. He based
23 his estimate on data from voter rolls and the American
24 Community Survey of the census, and he's going to
25 produce an update using more sophisticated statistical

1 methods later in 2025.

2 A detailed description of the
3 professor's methodologies and sources are in -- in the
4 written testimony. We encourage all of the commission
5 to look at the actual data. It's pretty easy to look
6 at. It's clearly presented.

7 But I'm here to highlight a couple of
8 things. One, regardless of sex or race, younger
9 voters are significantly more likely to be
10 unaffiliated with a political party than older voters.
11 Here's an interesting thing. Black 18 to 29 year olds
12 are more likely than white 18 to 29 year olds in New
13 York City to be unaffiliated. So black 18 to 29 year
14 olds are 27.3 percent unaffiliated versus white, same
15 age group, 25.5 percent.

16 Men are far more likely to be -- are
17 far more likely to be unaffiliated than women, with
18 Asian men the least likely to be in a party followed
19 by white, Hispanic and black men. Young women are
20 more likely than older women to be unaffiliated.

21 Now, the gap between the share of
22 voters age 18 to 29 and 70 to 79 for unaffiliated
23 differs widely by race. And we've included a chart
24 that staff can show you, but by far the biggest
25 difference within a group is between young and older

1 black voters.

2 The share of 18- to 29-year-old male
3 black voters that's unaffiliated is 294 percent higher
4 than 70- to 79-year-old male black voters. The share
5 of 18- to 29-year-old black female voters that are
6 unaffiliated is 318 percent higher than 70- to
7 79-year-old female black voters.

8 By comparison, unaffiliated young white
9 male voters are only 78 percent higher than older
10 white male unaffiliated voters. The share of
11 unaffiliated younger white female voters is about
12 67 percent higher than the white female unaffiliated
13 voters.

14 So you can see that there are a lot of
15 new and interesting insights about New York City
16 voters and what party they're choosing and whether
17 they're even choosing a -- a party that this
18 commission should be taking a look at. And happy to
19 discuss that more, but the table that we've provided
20 your staff and the data make it much clearer. Now --
21 yes?

22 MS. GREENBERGER: If you can -- if you
23 can quickly finish up. A few more seconds.

24 MR. KAEHNY: Quickly finish up. Now,
25 if we had our druthers, we'd choose a vote once

1 system, which San Francisco has with no primary. That
2 would require state action. The legislation which we
3 do not see as politically viable and which this
4 commission should avoid.

5 Instead, we recommend the following,
6 even-year elections, semi-open primaries, a top-four
7 RCV general election for citywide offices based on an
8 RCV open primary, and top-two general election based
9 on RCV open primary. We comment on all of those, and
10 that's the order that we believe reflects the
11 political reality of today and the benefit and risk of
12 different approaches. Thank you.

13 MS. GREENBERGER: Thank you so much.
14 And we do all have access to Professor Mollenkopf's
15 study, so thank you for that.

16 Dan.

17 MR. SCHNUR: Thanks for -- thank you
18 very much for having me. I was very flattered to be
19 asked to join you today. My name is Dan Schnur. I am
20 the former chair of the California Fair Political
21 Practices Commission, which is our version of the FEC,
22 the campaign watchdog for the state.

23 I also serve as the co-chair -- Reform
24 California organization whose work led to their
25 redistricting reform that we implemented many years

1 ago, taking the process away from elected officials
2 and giving it to the -- Citizens Commission.

3 I currently teach politics,
4 communications, and leadership at the University of
5 Southern California, University of California
6 Berkeley, and Pepperdine University's graduate School
7 of Public Policy. And I will regret to say that my
8 testimony will not be nearly as exciting as the
9 exchange over either of our city's housing crises.

10 But instead, I will focus on the more
11 mundane issue of moving elections to odd number of
12 years, given the experience we've had here in the city
13 of Los Angeles. You've obviously already heard a
14 significant amount of testimony on this.

15 Reminds me of the famous quote from the
16 late Arizona Congressman Morris Udall, who once said
17 at the end of a lengthy committee hearing, he said,
18 "Everything that needs to be said has been said, but
19 not everyone has yet said it." So please indulge me
20 for a minute or two before you go on with the rest of
21 your program.

22 In 2015, Los Angeles voters passed a
23 ballot initiative, Amendment 1, which had moved our
24 local elections for citywide offices for mayor, for
25 city attorney, and for city controller, as well as

1 city council and school board races from odd number to
2 even number of years. And the debates surrounding
3 that initiative was a familiar one.

4 The attraction, of course, was the idea
5 that there would be more turnout when there was a
6 statewide or national race at the top of the ticket
7 versus the concern that there would be ballot drop
8 off, that given such an extended ballot that a number
9 of citizens would simply just not complete the ballot,
10 would not address the local offices.

11 I supported it while I was a co-chair
12 of the campaign and the signature of the ballot
13 initiative because I believe that, while both are
14 significant challenges, the biggest challenge is
15 simply getting people to vote at all. And while
16 ballot drop off and ballot fatigue is a valid concern,
17 it's less worrisome to me than -- getting citizens
18 into the voting booth to begin with.

19 The biggest challenge here, given the
20 nature of our primary schedule, was not just ballot
21 drop off, the voter fatigue. The primary for local
22 Los Angeles elections took place only a few months
23 after a presidential election and within several weeks
24 after a presidential inauguration.

25 And so what we saw is not just the

1 voter fatigue but voter confusion. Large members of
2 the electorate, particularly voters from emerging
3 communities, thinking to themselves, Well, wait a
4 minute. Didn't I just vote in an election? Why are
5 they asking me to -- to do this again? So another
6 incentive, of course, was eliminating that confusion.

7 The result of the initiative passed by
8 a sizable margin and was implemented for the 2020
9 election. There was also as follow ups, a common
10 cause study showed that turnout in presidential years
11 was roughly 400 percent more than it had been in local
12 elections. But I think what's much more relevant to
13 this body are the questions of drop off. So let me
14 give you a little bit of information, what we found
15 there.

16 What we saw when we just looked at the
17 vote totals for local office, whether for mayor or for
18 city council or school board, even for judges, we saw
19 that roughly 33 percent of Angelenos voted in those
20 local elections -- which I'll admit sounds pretty
21 dismal until you consider that in the odd-numbered
22 elections between 10 and 20 percent, usually roughly
23 about 15 percent of eligible Angelenos voted.

24 So the number of those local residents
25 who voted in those city elections more than doubled by

1 moving to even-numbered years on a ballot, for
2 presidential or governor's race. To break that down
3 even further, we found that of those who turned out
4 for a gubernatorial or a presidential campaign,
5 depending on the year, between 80 and 90 percent of
6 them finished the ballot.

7 Not just state legislative races, not
8 just city council and school board races, but an
9 infinite number of judicial races or particularly low
10 information elections. So 80 to 90 percent is not
11 perfect, but frankly, it's a much better outcome than
12 we had hoped when we originally advocated for
13 Amendment 1.

14 And one of the relevant results, which
15 one of your testifiers mentioned earlier, is, of
16 course, the financial cost to the city of Los Angeles.
17 We cut the cost roughly in half because, of course,
18 elections were now being held every two years rather
19 than -- rather than every year, saving tens of
20 millions of dollars for the city budget.

21 I'd be more than happy to weigh in as
22 well if you'd like on the top-two primary because
23 we've had the top-two or the so-called jungle primary
24 here in California for a decade, and I'd be more than
25 happy to share our research on that.

1 And I'd also briefly reinforce John
2 Kaehny's testimony -- which I was very impressed --
3 when he talked about the increase of non-affiliated
4 voters in the younger generation. We found the same
5 thing here in California among voters and the people
6 of all races and ethnicity.

7 And my own conclusion, for what it's
8 worth, is it's not really a political decision on most
9 of their parts, but rather a cultural and societal
10 one. My generation or certain people -- I grew up in
11 a -- I grew up in an era in which there were three
12 television networks, five buttons on the car radio,
13 and two political parties. We were accustomed to a
14 finite number of choices among every aspect of our
15 life.

16 Millennials and Generation Z, of
17 course, have never known the world in which they did
18 not have an infinite number of options for
19 information, for opinion, and entertainment. So the
20 fact that they're rejecting an artificial binary set
21 of choices should not be surprising to us and --

22 MS. GREENBERGER: Thank you.

23 MR. SCHNUR: -- to hear John's thoughts
24 on that also.

25 MS. GREENBERGER: Thank you so much.

1 I'll ask that if you have specific data that you can
2 share, that you submit that to us. That would be
3 great.

4 And I will ask my commissioners if
5 there are any questions for the two of you. Terrific.
6 Thank you very much. Thank you both for weighing in,
7 especially from afar. We appreciate it.

8 I'm going to ask Marla Simpson and Rob
9 Richie to join us in the front, and following those
10 two, I will put Lee Drutman and Scott Kendall on
11 notice via Zoom.

12 Marla and Rob, welcome. Nice to see
13 you both.

14 MS. SIMPSON: Hello. Good evening. I
15 want to make a note that I'm testifying in a personal
16 capacity, having nothing to do with my current
17 employment. And with apologies, I'm here to testify
18 on a couple of obscure land use issues, one having to
19 do with disposition, one on the city map, and one on
20 building addresses.

21 During the 1989 charter revision, I led
22 a community organizing effort on behalf of New York
23 Lawyers for the Public Interest. The folks we
24 represented put a lot of attention on public land
25 disposition and so the Koch administration policies is

1 contributing to gentrification in their neighborhoods.

2 The city and state owned huge amounts
3 of land in lower income communities, about two thirds
4 of East Harlem, for example. And city-supported
5 development at the time was generally unaffordable to
6 current residents.

7 So the 1989 commission initially
8 proposed to treat residential land disposition as a
9 completely technical matter that would be decided by
10 the professionals at city planning. Don't get me
11 wrong, I like the professionals at city planning. I
12 married one. But there was not to be any meaningful
13 role for local, community, or their elected
14 representatives.

15 So our group blanketed the hearings
16 that spring and summer, and the folks we represented
17 made the point that they did not see city planning as
18 being accessible to them for input. So -- and I think
19 I'm the one who coined the phrase that was used by
20 Chairman Schwartz when I said that for our community's
21 city land use disposition was the functional
22 equivalent of zoning at -- at least at the time it was
23 being operated then and that we needed a rule for
24 elected representatives in those decisions.

25 But context matters. If you look at

1 the convoluted training of section 197D, it shows that
2 the fight in 1989 was not about affordable housing.
3 We protested the tendency to stick wildly unaffordable
4 housing and commercial development in the places where
5 housing had historically been affordable. We did not
6 object when the commission limited review process or
7 tried to limit review process for HDFC transfers.

8 I can't tell you here with the benefit
9 of hindsight that we would've supported a fast-track
10 process for all affordable housing no matter what the
11 scale. But I am certain that we were not trying to
12 slow down the production of affordable housing. We
13 were aiming at the other end of the spectrum. So
14 that's my bit for historical context there.

15 Following the charter adoption, the
16 Honorable Ruth Messinger, who was the incoming
17 Manhattan borough president, invited me to help shape
18 her new land use role, and I served there as the
19 director of land use planning and, later, as counsel.

20 Among other things, I oversaw the work
21 on the city map, and on -- and on address assignment,
22 which were functions that were untouched by the 1989
23 charter. And basically, they -- city's consolidation
24 circa 1898.

25 There are real public health and safety

1 reasons why it's important to keep address numbers in
2 logical order, but in practice by encouraging property
3 owners to show how very special their building is by
4 adding a new vanity address, this becomes a city
5 subsidized marketing tool to enhance the value and
6 sale price of property.

7 It also generates a lot of lobbying,
8 and those requests are often granted to the detriment
9 of first responders and ordinary pedestrians. We have
10 limited success trying to reign this in. I urge you
11 to consider centralizing the function and, if
12 possible, imposing a recurring fee structure that
13 would recognize the significant cost that this -- that
14 this results in for communities, particularly for
15 first responder maintenance.

16 One more thing on map?

17 MS. GREENBERGER: One more thing.

18 MS. SIMPSON: Okay. On -- on the map,
19 I know that there are interests that probably prefer
20 to again leave this untouched, but it really doesn't
21 make any sense to me. I supervised the engineers on
22 the topographical function, and we did not exercise
23 any meaningful role on the city map. We'd troop over
24 to state planning. Their architects and engineers
25 would tell us what to do. Our team would go back to

1 our office and function, more or less, as technical
2 stenographers.

3 And so even if the BPs do in some areas
4 exercise more substantive role, in the 21st century,
5 this paper process needs to be modernized. There are
6 technical tools that could yield swifter more accurate
7 outcomes. I've seen the work up close, and I cannot
8 think of a reason why it shouldn't be automated and
9 standardized citywide.

10 MS. GREENBERGER: Thank you so much.

11 MR. RICHIE: Good evening. Thank you
12 for this opportunity to share my insights about
13 potential changes to improve elections in New York.
14 My congratulations for your service and for your
15 detailed preliminary report.

16 My name's Rob Richie. In 1992, I
17 co-founded the nonpartisan organization Fair Vote and
18 ran it until 2023, becoming known as a national
19 authority on ranked-choice voting. I'm now president
20 of Expand Democracy, a nonprofit seeking to catalyze
21 conversation about pro-democracy ideas while
22 consulting for groups like Fair Vote, Reinvent Albany,
23 and United America.

24 I speak only for myself today, and I do
25 have this written testimony that can be available to

1 you with lots of fun append. Let me start by ranking
2 reform options without factoring in legal and
3 political considerations.

19 Proposing semi-open primaries may be an
20 easier first step to tackling the problem of more than
21 a 50 -- registered voters being unaffiliated. And
22 you've heard a lot of good data about that from
23 Reinvent Albany. Democratic-run legislators this year
24 passed semi-open primaries in New Mexico and Nevada,
25 as did Maine in 2021.

1 Paired with RCV at 173 percent in
2 Washington D.C. and 2024 when voters backed it by a
3 greater than two to one margin in every city council.
4 But if you, instead, propose an all-candidate primary,
5 it winnows the field. I would strongly counsel the
6 last of model of top-four elections. My reasons are
7 as follows.

8 Make use of the RCV instrument you have
9 created. The city and its Board of Elections should
10 be commended for how it has implemented RCV. It's not
11 been flawless, but 99.7 percent of voters in '21
12 cast -- ballots in nearly 90 percent ranked
13 candidates. Voters like RCV. It would allow them
14 greater choice in November. Giving -- make sure I --
15 oh, sorry.

16 Avoid the perception of boosting
17 billionaires. The most likely attack, which you've
18 already heard, against all candidate primaries is that
19 they boost wealthy donors. Going to top-two makes
20 that attack more credible. It will take more money to
21 advance from the primary, while independent
22 expenditures are most impactful in highly negative
23 campaigns.

24 Top-four would make it easier to
25 advance and reduce negativity by allowing -- by

1 avoiding zero sum politics. Giving emerging
2 candidates a longer runway. Primary turnout will
3 remain far smaller and less representative than in
4 November.

12 MS. GREENBERGER: One last thing.

13 MR. RICHIE: Okay. Yeah. So have a
14 system that encourages a larger reform coalition. I
15 believe Republicans would be denied the November
16 ballot in citywide contest with top-two. With
17 top-four and RCV, they would have a chance and so
18 would others reflecting your city's pluralism.

23 MS. GREENBERGER: Thank you both so
24 much.

25 Any questions for our panelists?

1 Thank you both, and if you would please
2 submit those specifics, that'd be helpful.

3 And Marla, thank you. I've learned
4 more about the -- office than I ever thought I needed
5 to. So appreciate the ongoing interest.

6 We are going to go back online to hear
7 from Lee Drutman and Scott Kendall.

8 So Lee, you're up first, followed by
9 Scott and then we'll open it up for questions if there
10 are any.

11 MR. DRUTMAN: Okay. Well, wonderful to
12 be here with you as a native New Yorker. I was born
13 in Queens, but I live in Washington D.C. now. I'm
14 delighted to have this opportunity. I'm a senior
15 fellow at New America, a Washington D.C. think tank,
16 also a lecturer at Johns Hopkins University, and also
17 a huge electoral reform nerd. It's kind of my thing.

18 So I'm really tickled that maybe some
19 of this knowledge might actually be useful to you all.
20 I kind of make it my business to try to read, like, as
21 many studies as I can, which, you know, is probably
22 now in the hundreds. And you know, basically a nerdy
23 political scientist who just is kind of obsessed with
24 this.

25 So don't rely on any single study. It

1 may shock you, but some of the research out there has
2 an agenda behind it. So look at the big picture. So
3 you are interested in whether some form of open
4 primary can increase voter turnout.

5 Here -- here's my first point. I'm
6 sorry to disappoint you, but looking across all the
7 studies, the effects are pretty weak, basically
8 statistically zero. And this is true, whether you
9 call it an "open primary," a "jungle primary" -- or
10 "nonpartisan primary." Zero. Zero effect on a
11 turnout.

12 So basically, changing who can vote in
13 primaries does almost nothing to change -- actions.
14 But this is my -- my summary across many studies. And
15 actually, the reason here is -- is quite simple.
16 Primary elections, no matter what the rules are, they
17 engage the already engaged. No reform changes that.
18 The only thing that actually engages more people is
19 exciting campaigns and inspiring candidates and
20 competitive elections.

21 So we hear a bit about California, and
22 that -- that's a good case study to see what happens
23 when you change the primaries. And in 2012, they
24 moved to this top-two system, and turnout before they
25 did that was actually a little bit higher than after

1 they did that.

2 And I don't know if I could share my
3 screen here. Am I allowed to do that? I'm sending a
4 request to see if I can share my screen just to show
5 you one -- one quick table here.

6 MS. GREENBERGER: I don't know that we
7 can do that, but you can certainly submit it --

8 MR. DRUTMAN: Okay, well, I'll just --
9 I'll just tell you the statistics then. In -- in the
10 era 1998 to 2010, before California -- the midterm
11 primary turnout was 29.8 percent on average. After
12 the reform, the -- the next 12 elections, it was down
13 to 28.5 percent.

14 So actually, it was lower after they
15 passed the reform. Now, number of reasons for that.
16 Also, there are folks who think, well, if we do this
17 top-two thing or nonpartisan primary, there will be
18 more moderation. And again, you know, preponderance
19 of the studies, no effect. There are a few studies
20 that show positive effect. Most show no effect.

21 So I -- I wouldn't bet on that. Now,
22 so point number 1, no real effect of changing primary
23 rules. Now, if we are concerned about engaging and
24 inspiring voters, you have to understand something
25 about politics, which is that politics is about

1 organizing. Politics is a team sport. Politics is
2 about getting the people who agree with you together
3 and to show up.

4 And political parties are the most
5 effective institutions for mobilizing and engaging
6 voters. Strong political parties make for strong
7 democracies. This is really Political Science 101,
8 although it may seem counterintuitive to some folks
9 who -- who -- like Independents.

10 And yes, there are a lot of voters in
11 New York who choose to register as Independents.
12 Remember, this is a choice, and they think that that
13 means that they should be able to vote in the
14 Democratic primary. But this is the thing that I -- I
15 really don't understand. They actually can. All they
16 have to do is change their registration to be a
17 Democrat. It's free. It's easy. Anybody can do it.

18 Folks really feel strongly about
19 Independents from Democrats or Republicans. There is
20 another option in New York City. They can organize,
21 start a new political party to compete in the general
22 election. And New York City actually has a long
23 tradition of new parties and changing parties. Thanks
24 in large part to fusion voting.

25 So general elections could absolutely

1 use more competition, and that's when the voters
2 mostly show up. So if we care about voter engagement,
3 then maybe we should have more parties competing in a
4 general election. We should have citywide -- and if
5 we want young voters, same day registration is the
6 best way to do that.

7 MS. GREENBERGER: Thank you. Thank you
8 so much. I'm going to ask you to wrap up.

9 UNIDENTIFIED SPEAKER: He's -- overdue.

10 MR. DRUTMAN: I -- I mean, there are
11 other people that have gone on for, like, a lot
12 minutes here. I'm just -- I -- I'm sorry. I'm
13 delivering maybe the news that you don't want to hear.

14 MS. GREENBERGER: We're going to move
15 on. Thank you so much. If you have additional
16 testimony, you can certainly submit --

17 MR. DRUTMAN: Okay. I'm -- I'm sorry
18 I'm delivering the news that you don't want to hear.

19 But --

20 MS. GREENBERGER: No, it has nothing --
21 you -- you're over time. That's why.

22 MR. DRUTMAN: Yeah.

23 MS. GREENBERGER: Thank you so much.
24 Thank you for respecting that.

25 Scott Kendall.

1 MR. KENDALL: Yeah. Thank you for
2 having me. I appreciate you all taking on these
3 issues. My name's Scott Kendall. I'm an attorney
4 here in Anchorage, Alaska. I was the author of our
5 ballot measure that gave us top-four primaries and RCV
6 here in what they call the "Alaska System," which has
7 gotten some discussion.

I do want to dispel a little bit of the misinformation that came out, whether it's that it delays results or that it's confusing. It's actually not true that it depresses turnout. Our turnout did not go down. In fact, we polled our voters both times they've used the system statewide. Over 80 percent said it was simple. Over 70 percent supported the open primary portion of it.

16 It is an unhackable system. It's a
17 system that has been battle-tested in fields of up to
18 48 candidates. When Representative Don Young passed
19 away, it performed beautifully. As was discussed by
20 Mr. Richie, it opens up the field for people to get
21 on the ballot.

1 actually came in first in the general.

2 So including that broader field is
3 meaningful and resulted in the historical election of
4 the first Alaskan native member of our congressional
5 delegation.

19 One thing that's very fascinating was
20 that this system, in just two election cycles, has
21 resulted in a state legislature that is more
22 representative of Alaska's population. We are a
23 majority non-white in Alaska. We are actually the
24 most diverse state in the country.

25 We have the most diverse city in the

1 country, and lo and behold, two cycles in, we have
2 elected, for the first time, a majority of women to
3 our legislature. We have elected the most Alaska-
4 native candidates. We have elected people from the
5 Filipino community, African American community.

6 Our legislature isn't quite there yet,
7 but our legislature has actually begun in just two
8 cycles to look a lot more like the population of
9 Alaska. No longer do candidates feel like they have
10 to wait in line behind the parties preferred candidate
11 before it's their turn to run. Everyone runs.

12 It's free-market elections that make
13 the best candidate win. And they do have -- in
14 addition to changing who gets elected though, it's
15 important that it changes their incentives once they
16 are elected.

17 A lot of incumbents were re-elected
18 under the system, but their behavior has changed
19 meaningfully. We now have two bipartisan majorities,
20 Democrats, Republicans, and actually some Independents
21 governing both our state house and our state senate --

22 MS. GREENBERGER: Thank you.

23 MR. KENDALL: And this year they
24 adjourned early, and they actually passed a historic
25 boost to education funding.

1 MS. GREENBERGER: Thank you so much.
2 Thank you for that perspective. Appreciate both of
3 you.

4 Any questions?

5 MS. SAMUELS: I have a --

6 MS. GREENBERGER: Julie.

7 MS. SAMUELS: Scott, this is for you.
8 Something you said just now kind of resonated with me.
9 I just wanted to ask you to expound on it a little
10 bit. You talked about how younger candidates no
11 longer feel they have to wait in line. I'm curious if
12 you could just dig in a little bit on kind of
13 candidate attraction -- or kind of what you're seeing
14 in the pool of candidates.

15 MR. KENDALL: Yeah. It's -- it's open
16 competition. So for example, there was an urban
17 taking -- Mary Peltola, for an example. There was an
18 urban Democrat who was sort of formally supported by
19 the party. He was from Anchorage, the largest city in
20 the state with half our population.

21 Mary Peltola was a former state rep
22 from a -- a village of 3,000 people in rural Alaska.
23 And she didn't care that the party had a favorite.
24 She ran anyway. And because of her quality as a
25 candidate and the way she sort of electrified folks,

1 you know, she made it into the top four.

2 And again, that trajectory continued.

3 So you know, there's a lot of that. I'm sure you see
4 it in New York. We see it here where the party sort
5 of nods at the person they'd like to run next or they
6 would discourage strongly people who challenge
7 incumbents. They discourage people, you know,
8 "primarying them."

9 Well, "primarying" is no longer a verb
10 here. You know, if you are -- if you're a decent
11 incumbent -- that's the other thing. You -- you
12 probably are going to make the top four, get back on
13 the ballot, and face all your constituents. So the
14 whole focus of the system is wide open competition,
15 but also pushing that competition to the November
16 election, not the primary election.

17 In most states, that's where the races
18 are decided. Eighty, eighty-five percent of races are
19 decided in the primary. Now, our competition's pushed
20 to November when everyone shows up.

21 MS. GREENBERGER: Thank you so much.
22 Thank you again both for participating.

23 We are going to return to in-person,
24 and I would thank those of you who have been very
25 patient. We do have just under 20 people left to

1 testify, so we will try to move quickly here. So I'm
2 going to ask Gwen Mandell and Diane Buscemi to come
3 up. They will be followed by Lisa Dombrow and Zack
4 Viera.

5 So Gwen and Diane, thank you for your
6 patience. Go right ahead.

7 MS. MANDELL: Hello, commission
8 members. I'm really happy that the charter revision
9 commission is considering the current way our
10 candidates are elected in New York City. Currently,
11 over one million voters are prevented from
12 participating in the most critical round of voting,
13 the first round, because we choose to be Independent.

14 I am one of those voters, and I'm
15 offended, quite frankly, when I've received various
16 solicitations maintaining that I should change my
17 registration in order to vote in one of the primaries.
18 I have chosen to be Independent for a reason. So have
19 millions of other Independents, those who are
20 registered as such, and the many who grudgingly choose
21 a party because it's the only way they get to vote.

22 The numbers, by the way, who identify
23 as Independent nationally are between 40 and
24 50 percent of the population, according to the latest
25 Gallup polls. We should not have to choose a party in

1 order to participate in taxpayer-funded elections.

2 I'm Independent because I believe that
3 not being beholden to a party is the best way to
4 choose candidates that will prioritize our democracy
5 and have the best interests of New York City residents
6 rather than the interest of their party.

7 We have a system that has quashed the
8 innovation -- quashed innovation and produce elected
9 officials who don't work on behalf of our city's
10 residents. Having elected officials who are rubber
11 stamps for their party has led to bad public policy.
12 Having an open system where the best candidates are
13 considered on their merit will create a better
14 functioning and healthier city.

15 We have elections where millions of
16 people don't vote. Not only those of us registered
17 Independents who are unable to participate in the
18 primaries, but also millions of others who don't
19 believe their vote is going to have an impact in the
20 current state of affairs and who are losing faith in
21 our democracy.

22 Increasingly, these are young voters
23 and voters of color who will make up a large block of
24 New York City Independents. I'm a leader of
25 Independents. I'm director of leadership development

1 at the Organization of Open Primaries and also a
2 founder of a highly successful national spokesperson
3 training for Independents.

4 I've talked to thousands of
5 Independents over the years, and while they vary in
6 their reasons for being Independent, whether it's
7 because they want to elect the candidate of their
8 choice or they don't believe the current system is
9 working or any number of other reasons, they're
10 typically passionate about their independence.

11 Despite what the media and pundits
12 report, these are educated and informed voters who can
13 make a difference in bettering our democracy. We need
14 open primaries now in New York, so that we can have
15 competitive healthy elections where all voters can
16 participate.

17 One final note, as you explore
18 different forms of open primaries, I would ask that
19 you don't make it complicated and unpassable. But
20 it's very simple. Just let Independents vote. Let's
21 do it now.

22 MS. GREENBERGER: Thank you so much.
23 And could you state your name?

24 MS. MANDELL: My name is Gwen Mandell.
25 MS. GREENBERGER: Thank you so much.

1 You need the mic.

2 MS. BUSCEMI: Good evening, everyone,
3 commissioners, and thanks for the opportunity to
4 testify today. My name's Diane Buscemi, and I'm --
5 I'm a lifelong New Yorker. I've been an Independent
6 since the 1980s and was a field organizer with
7 Dr. Lenora Fulani's Independent presidential campaigns
8 and worked with her on political reform issues over
9 the years.

10 I've been a reading and ESL teacher for
11 over 50 years. Right now, teaching at a community
12 college in the community system. It's been over four
13 decades since I've been able to vote in the primary
14 election that my cast -- my tax dollars pay for.
15 That's a long time.

16 There are over one million New Yorkers
17 like me who find themselves locked out of crucial
18 elections because we do not wish to join a political
19 party. We are not allowed to vote in primaries, which
20 all too often are definitive. I'm -- sorry. I keep
21 losing it.

22 I'm so glad that this commission is
23 looking at the undemocratic way our primaries are
24 structured. I have colleagues and friends across the
25 country in San Francisco, Oakland, Boston, and others

1 who are shocked when they hear that I can't vote in
2 the primaries because they can.

3 In fact, most cities use an open
4 form -- a form of open primaries. So I really don't
5 get what's hard about this. That it's hardly a
6 radical reform. It seems simple to me.

7 Independent voters are the fastest
8 growing group of voters in our city. We want our
9 choice to be Independent to be respected, and we want
10 to vote in primaries that our tax dollars pay for. By
11 opening the primaries, over a million New Yorkers will
12 be newly enfranchised, given the right to vote as who
13 they are, Independents.

14 Opening the primaries is the right
15 thing to do, the democratic thing to do. It's my hope
16 that the commission will not miss the -- this
17 opportunity. No American should be forced to join the
18 political party in order to vote. Thank you.

19 MS. GREENBERGER: Thank you both so
20 much.

21 Any questions?

22 We appreciate you taking the time.

23 Now, Lisa Dombrow and Zack Viera. And
24 just before you start, I just want to ask.

25 ASL's here until 8 p.m. Will anybody

1 be requiring their assistance after that? Okay.
2 Thank you.

3 Lisa and Zack.

4 MS. DOMBROW: Hello. My name is Lisa
5 Dombrow, and I just want to start by saying I'm a bit
6 nervous about doing this. I've never testified
7 before, but I felt that it was important to do so now.

8 I was born and raised in New York City.
9 I am an artist and educator living in Brooklyn, and I
10 have been an Independent for many years. I became an
11 Independent because I don't think any political party
12 fully represents my views.

13 And more importantly, I have come to
14 see both major parties as prioritizing, gaining, and
15 retaining power rather than trying to fix any of the
16 serious problems we face in this city, state, country,
17 and world. I should not have to -- have to belong to
18 such a party in order to participate in the political
19 process. No one should.

20 I am a voter. I have voted in almost
21 every election that I could since I was 18 years old.
22 I was once a member of a party, but I felt, out of my
23 convictions, that I had to declare my independence.
24 Now I am locked out of the most important elections in
25 the city, the primaries.

1 Some say I can vote in the primaries.
2 All I have to do is re-register as a Democrat or
3 Republican, but I cannot do that. It would negate who
4 I am and what I believe politically. That is like
5 asking a Democrat to re-register as a Republican or
6 vice versa for the sake of voting in a particular
7 election. It is disrespectful to ask anyone to do
8 that.

9 Furthermore, as a taxpayer, I help fund
10 these elections in which I am not allowed to
11 participate. This is unfair and undemocratic. More
12 than one million New Yorkers are in the same position
13 I am. Many of them, as you have heard, younger voters
14 and voters of color.

15 We need to be encouraging more people
16 to vote, not putting impediments in their way or
17 shutting them out entirely. I very much appreciate
18 your consideration of this issue, and I urge you to do
19 something about it. Thank you.

20 MS. GREENBERGER: Thank you.

21 MR. VIERA: Good evening,
22 commissioners. My name is Zack Viera. I've lived in
23 New York City for five years, and I hope to spend the
24 rest of my life here. I'll start by thanking the
25 commission and staff for putting together the

1 preliminary report. I was pleasantly surprised by how
2 engaging it was and impressed by how information dense
3 it managed to be.

4 And I especially want to thank
5 executive director Alec Shernock [ph] for his
6 beautiful letter and the reminder of how we might
7 choose to view our beautiful city. Like any city,
8 though, we're experiencing growing pains.

9 As the report notes, New York City has
10 been in a declared housing emergency since 1960 with a
11 current net rental vacancy rate of just 1.4 percent.
12 This clearly isn't improving. Every few years the
13 city council extends the housing emergency, but we
14 haven't been able to dig ourselves out of it yet.

15 I firmly believe that this is because
16 we haven't kept pace with the demand for housing in
17 the greatest city in the world. To fix that, we need
18 to significantly increase our housing production. The
19 report outlines a number of ideas to address this
20 crisis, but I believe two areas have the most
21 potential for impact, member deference and ULURP
22 reform.

23 Charter revisions targeting these
24 structural issues can make a meaningful difference in
25 our ability to build enough housing to meet demand and

1 eventually reach a more sustainable equilibrium. On
2 member deference, I don't think it's acceptable that
3 individual council members can unilaterally kill
4 building projects in their districts.

5 I agree with Queens borough President
6 Donovan Richards, who likened the current system to
7 feudalism, treating council members as feudal lords
8 who rule over land as though it were a personal
9 fiefdom.

10 If we want a more diverse, less
11 segregated city, we need cross district collaboration
12 to support housing development equitably. A lot of
13 what we know about how development decisions play out
14 comes from the projects that do get proposed.

15 But in many districts, developers don't
16 even bother trying -- as was brought up earlier in
17 this meeting -- knowing that under the current
18 deference system, their projects are likely dead on
19 arrival.

20 As the report points out, in the last
21 decade, some council districts saw no applications at
22 all, and only 5 of 51 averaged more than one per year.
23 That's deeply telling and troubling, especially since
24 this practice isn't even codified in the charter.

25 There's also real opportunity in

1 reforming our land uses zoning procedures. ULURP, as
2 it stands, is a long and complex process. Since I
3 know this has already been the subject of much
4 testimony, I'll just say I agree with the most common
5 recommendation, consolidate the advisory portions.
6 This would still allow for thorough review while
7 avoiding unnecessary slowdowns.

8 As Parkinson's law reminds us, work
9 expands to fill the time allotted. In the example of
10 the New York City subways being approved in only one
11 week shows what's possible. ULURP is robust, but at
12 this point, it may be too robust for a city facing an
13 urgent housing crisis. Thank you Vice Chair
14 Greenberger and members of the commission for your
15 time and attention.

16 MS. GREENBERGER: Thank you for your
17 time. Thank you both so much.

18 Any questions?

19 Thank you. Thank you. Appreciate you
20 being here.

21 Cormac Slade Byrd and Cleo Acevedo if
22 you would join us.

23 And I will put James Inniss and Chanel
24 Porter on notice.

25 MR. BYRD: Good evening, Vice Chair

1 Greenberger and commissioners. My name is Cormac
2 Slade Byrd. I'm a Brooklyn resident, data scientist,
3 and my third testimony in discussing the hard ceiling
4 we placed on Buyright housing. I analyzed all 857,000
5 New York City tax lots using the Department of City
6 Plannings PLUTO datasets.

7 Here's what the data showed. Only 27
8 percent of city lot area could hold a building even
9 twice the size of what stands there now. Landmark
10 protections, transferred air rights, and 90 special
11 zoning districts cut that to about 20 percent citywide
12 and just 12 percent in Manhattan. On four-fifths of
13 our land, you are looking at the largest building that
14 is economically feasible Buyright.

15 Now, imagine a miracle. Every
16 economically feasible Buyright lot is built to its
17 maximum size by 2030. Total citywide floor area would
18 rise by less than one-quarter, nowhere near what an
19 emergency demands. That optimistic scenario, very
20 optimistic, assumes no tenant buyouts, easy financing,
21 perfect lot geometry.

22 Meanwhile, New York State is on track
23 to lose three congressional seats in 2030 because they
24 are zoning people out of the state. Even under this
25 Build Everything miracle would merely keep the same

1 number of congressional seats. The council has
2 renewed the housing -- the council has renewed the
3 housing emergency every year for half a century.

4 Your preliminary staff report shows you
5 deeply understand the depth of the problem. The
6 executive director's letter spoke to me, and frankly,
7 it should move every New Yorker. I have suggested
8 specific fixes before, but tonight my ask is simple.
9 Think big. Draft charter amendments that make room
10 for the next million New Yorkers instead of daring
11 them to live elsewhere. Thank you for your time.

12 MS. GREENBERGER: Thank you so much.

13 MS. ACEVEDO: Good evening,
14 commissioners. My name is Cleo Acevedo. I'm a proud
15 resident of the Bronx and, actually, I live in this
16 district. I'm a 20-something year old New York City
17 community organizer for Citizen Action New York. And
18 I'm here to talk about the election reforms that you
19 guys are thinking and talking about.

20 I am here to strongly oppose adopting
21 jungle primaries or non-partisan primary elections in
22 New York City. We've heard the argument that
23 unaffiliated voters, those who choose not to enroll in
24 political parties, are being excluded from the current
25 system. But that is not the problem here that

1 requires dismantling party primaries.

2 It is the future of representative
3 party-based democracy, not a flaw. Political parties
4 are voluntary associations of people who have the same
5 values and shared missions. It's just like a lot of
6 the members of my organization. They join us in this
7 action because they believe in our mission and our
8 vision to improve New York City and make it equitable
9 and affordable for everyone.

10 Primaries are not general elections.

11 Primaries exist so party members can choose who
12 they -- who they want to represent them in general
13 elections. If someone chooses not to join a party,
14 they're choosing not to participate in that party's
15 internal decision making.

16 That's not exclusion or
17 disenfranchisement. It's a consequence of personal
18 choice. Let's not pretend that this is a justice
19 issue when, in fact, it is a matter of political
20 preference.

21 Allowing non-partisan jungle primaries
22 would weaken the ability of communities of color to
23 build power through collective organizing within
24 parties. Groups like labor unions, tenant
25 organizations, parent advocates, and civil rights

1 organizations often engage the electoral process
2 through party structure.

3 Usually around this time of the year, I
4 would be doing Get Out the Vote or civic engagement by
5 registering people to vote. That's how we elect
6 champions for our own communities. We don't want to
7 elect just people with money and name recognition,
8 which is what we -- we would be doing by introducing
9 jungle primaries.

10 Because of jungle primaries more people
11 with more money who are not representing our
12 communities and not representing the color of our
13 community's skin are running for these elections and
14 actually get more notoriety because the more money you
15 have, the more you're able to put yourself out there,
16 which is why -- and if you actually want to increase
17 voter turnout, we ask you to switch to an even year,
18 right.

19 And we also continue to fund programs
20 like the public finance campaign reform where we have
21 more black and brown folks running on grassroots
22 selections where we have more community members whose
23 dollars make more impact in corporations.

24 Now, the argument is usually the jungle
25 primaries often use the language of fairness. But the

1 reality is that the system empowers organized
2 communities in favor of individualism and wealth
3 driven campaigning. It's a flat difference instead of
4 recognizing power diverse coalitions and movements.

5 In cities like San Francisco and
6 Los Angeles, who we've seen how nonpartisan primaries
7 have made it harder for working class candidates,
8 candidates of color, and grassroots leaders to compete
9 in their elections and actually have lower voter
10 turnout.

11 MS. GREENBERGER: Thank you both so
12 very much.

13 Any questions for the commissioners?

14 MS. SAMUELS: I have one. Just a quick
15 question.

16 Thank you both.

17 Ms. Acevedo, this whole issue of
18 diluting voting blocks, in particular, folks of color,
19 is very concerning to me. I don't want to speak for
20 all commissioners. I think so, right. Because we
21 want to be sure everyone has the opportunity to
22 participate.

23 I guess one of the things that -- that
24 tends -- that -- that is -- I continue to look at and
25 be concerned about is, is there a natural dilution

1 happening because less and less people, young people,
2 that look like me, you, or -- or some of the folks
3 that you are describing are actually registering to be
4 in the -- in the party?

5 So the affiliation, is it shifting now
6 that we're going into different generations? So a lot
7 of the data that we continue to ask for that we're
8 going to look at, I think, is really important
9 because, you know, I understand your position clearly.

18 MS. ACEVEDO: If you could just say
19 exactly what your question is.

20 MS. SAMUELS: My question is, do you --
21 do you feel like folks in your generation -- because
22 you said how old you are, right -- are less likely --
23 of -- of color -- are less likely to affiliate with
24 the party? And that's my concern, right. So I
25 understand, but if we have more and more unaffiliated

1 people of color, did you have less and less ability
2 for them to participate?

3 MS. ACEVEDO: Yeah. The reality is --
4 is that -- I actually changed my affiliation today to
5 the Democratic Party because I was actually registered
6 as Independent. The reason why I was registered as
7 Independent is because I felt like there wasn't a
8 specific party that represented my -- my goals, right.
9 Like many people also think, right.

10 But I also didn't vote in the previous
11 elections. Not because I didn't have a party
12 representation 'cause if I really wanted to, I could
13 have switched my party like I did today. But what it
14 was is because I didn't feel that there was enough of
15 a campaign that called to me, that said, "Hey, you
16 should vote."

17 What actually led to me call -- voting
18 for the -- not primary elections, but voting in
19 general, was Kamala Harris running for president. And
20 that was the first time I ever voted and casted my
21 ballot. Now, the reason for that was because of her
22 representation, her representing me as a black woman,
23 but also the fact that she's the second black woman to
24 ever run for the United States President.

25 So I think the reality here is that the

1 reason why we have low voter turnout and low
2 affiliation to parties in younger people, it's not
3 because they don't necessarily align with the party,
4 but more because we have political parties who are
5 still moving in this ideology that you need to be a
6 white man or a well-affluent white woman to run for
7 public office.

8 MS. SAMUELS: We're not speaking to the
9 issues, right. Of that -- that, and so again -- and
10 thank you. You know, I don't want to belabor it to
11 the -- like and -- and I'm hungry too, but the --
12 the -- I guess the concern is, it -- is this going to
13 change, right.

14 Speaking to the particular issues of
15 the community of young people so that they feel like
16 they can register for one party or another. And
17 that's just -- I'm just -- at this point, I'm not
18 even -- as I'm stating that's my concern.

19 MS. GREENBERGER: Thank you.

20 MS. ACEVEDO: Yeah. No, and I think --
21 sorry. Not to take up more time. But I think this is
22 why I'm emphasizing the importance of the public
23 finance campaign, right. When you have people who
24 are -- when you have a system where I, right, as a
25 Bronx community board resident, as a resident of this

1 district, right.

2 Right now, we have city council
3 District 8 who is up for re-election because Diana
4 Ayala is turned out, right. I -- my \$20 can make much
5 more of an impact in this city council campaign than a
6 corporation giving thousands of dollars to an elected.

7 And that's the reason why we have young
8 peoples not -- not that deeply invested in our party
9 because the Democratic Party has emphasized much more
10 funding from corporations and big real estate boards
11 rather than actually its people, which is why we
12 introduced the public campaign reform and actually my
13 organization took part in advocating for that.

14 MS. GREENBERGER: I want to make sure
15 we hear from Anita who has a question online.

16 MS. LAREMONT : Yes. Thank you. Thank
17 you. My question is for -- I -- I just wanted to ask
18 you if you have any data that supports the things that
19 you said about how in the places that have gone to the
20 nonpartisan primaries that people of color have been
21 disenfranchising in terms of being able to run for
22 office because we really have to make our judgments
23 based on some evidence.

24 And -- and you know, beyond assertions
25 that that is true, we would really encourage any data

1 that you could give us that would help us to
2 understand what really is going on.

3 MS. ACEVEDO: Yeah. So I don't want to
4 take more time because I know that we're late, but I
5 can actually submit all of the data that I have. We
6 have a long lengthy document full of data information,
7 and I can submit it with my testimony online.

8 MS. GREENBERGER: That would be very
9 helpful. Thank you so much.

10 MS. SAVINO: Yeah. I do have a couple
11 of questions. First of all -- it's always good to see
12 you, like part of a traveling road show. On -- I'm
13 sorry. I -- I missed your name.

14 MS. ACEVEDO: Cleo.

15 MS. SAVINO: Cleo. Cleo. There's an
16 old expression in government that says "This is the
17 way it's always been done," right. So when you look
18 at our election system, this is the way it's always
19 been done.

20 And here's what we've found. In the
21 past 40 years, since the implementation of campaign
22 finance reform, we were going to match low dollar
23 contributions from people with a one-to-one match.
24 Then we did a two-to-one match. Then we did a
25 four-to-one match. Now, we're at an eight-to-one

1 match.

2 And with each cycle, guess what? Less
3 people are voting. Less people are participating.
4 Lower turnout. Less of a -- and more and more people
5 are disenrolling in the party. You yourself said --
6 and this is not talking to you. I'm just rattling --
7 that you are an unaffiliated voter, and you now joined
8 the Democratic primary process. You can vote in a
9 primary.

10 The primary in New York City has now
11 become somewhat almost akin to the general election.
12 And what that is doing is disenfranchising over a
13 million New York City voters who have decided that
14 they don't want to be part of a party. They don't
15 want to join, and rightfully so. They shouldn't have
16 to.

17 So I think the -- you're with Citizen
18 Action. Citizen Action is a constituent organization
19 and an affiliate of the Working Families Party, which
20 is another party which spends most of its time trying
21 to influence the democratic primary process. I know
22 that because I was a founding member of the WFP in a
23 previous life. When I write my memoirs, I'll tell you
24 all about it.

25 But that party exists for the sole

1 purpose of pulling the Democratic Party away, and they
2 didn't want people enrolling as Democrats. So I'm
3 just trying to figure out why are we protecting a
4 system, which clearly does not work. It does not
5 expand the franchise. It does not allow more
6 participation.

7 We're spending more money getting lower
8 turnout, and we're not having a true discussion about
9 the issues that matter to all New York City voters.
10 Not just people who belong in small subsets of
11 political parties. And you don't have to answer that.
12 I just felt I had to, you know, ask -- put those
13 questions to you guys.

14 So maybe you can think about that as we
15 move forward. Doing things the way they've always
16 been done has gotten us nowhere in this city, whether
17 it's in voting or housing or a whole host of other
18 things. Now, I'm going to come down off my --

19 MS. ACEVEDO: I would like to answer.
20 So the fact is, actually, California, since 2012, has
21 adopted jungle primaries, what we call "nonpartisan
22 primaries," right. But according to California's
23 data, the turnout has stayed exactly the same for the
24 past 12 years, right. And so the reason why we're
25 here is we're talking about voter turnout. We're

1 talking about the fact that people don't come out to
2 vote.

3 But we're blaming it on the fact that,
4 oh, it's because people are unaffiliated, and they
5 don't want to come out to vote. But what if the case
6 is just because there's just simply aren't candidates
7 who are actually listening to what the community is
8 talking about?

9 And then we have Alaska as well, who
10 adopted open primaries in 2022. In 2024 primary
11 election, turnout was reportedly the third lowest in
12 50 years, according to the Alaska Beacon. The data
13 out of Alaska points to the conclusion that jungle
14 primary elections do not actually have an impact on
15 turnout. And if they do, it actually lowers it.

16 So the problem here isn't that we have
17 people who aren't affiliated with parties. The
18 problem here is right now we're in -- located in the
19 Bronx. The Bronx has had the lowest voter turnout in
20 the previous primary elections. The reason why is
21 because we aren't registering people to vote. We
22 aren't educating people.

23 And also we just recently introduced
24 ranked-choice voting in the previous elections, which
25 is also confusing, especially to some folks who may

1 not speak English and may not understand what they're
2 looking at. Our organization has done the due
3 diligence to actually go about and provide training to
4 these people, but that's not enough.

5 What needs to be done is actually
6 making it fairly accessible to people to vote, making
7 sure that people have access to the information and
8 understanding what ranked-choice voting means, how --
9 what it means to actually be registered in the party.

10 And if you don't want to be registered
11 in a party, that's perfectly fine, but you
12 shouldn't -- you shouldn't be able to vote in a
13 primary election that impacts that party
14 representation. We're -- we're living in a
15 representative democracy. Is that not the point?

16 MS. SAVINO: Thank you.

17 MS. GREENBERGER: Thank you both.

18 Appreciate it.

19 Thank you all for being here and
20 exercising your civic rights. We really do appreciate
21 it.

22 We are next going to hear from James
23 Inniss and Chanel Porter.

24 I am telling Carrie Lobman and David
25 Mirtz that you will follow them.

1 And then after them will be Jennifer Ng
2 and Jonathan Christ Tompkins.

3 So James and Chanel.

4 That stays. Yeah. It's all good.

5 MS. PORTER: Good evening. My name is
6 Chanel Porter. I am a Brooklyn resident, an
7 entrepreneur, community member, granddaughter of a
8 police officer, and I care deeply about making our
9 city both safer and more accountable. Tonight, I'm
10 here just to testify on the need to adopt key reforms
11 to give the civils complaint review board real power.

12 I've lived in New York City for nine
13 years in various neighborhoods from Harlem to Lincoln
14 Square and now Brooklyn. In each of those
15 neighborhoods, I've witnessed NYPD officers interact
16 with, confront, or arrest my neighbors. And I've seen
17 firsthand how officers, at times, can mishandle or
18 harass my fellow New Yorkers.

19 As we look at the state of our country
20 and communities around our nation, I don't think it's
21 hard to see or understand how our democracy is at
22 risk. Doing my own research and seeing reports about
23 body camera violations, protest policing, and other
24 concerns in relation to police -- to the police force
25 made me realize the need for accountability in

1 policing, processes, and oversight.

2 Far too often, even after a
3 comprehensive investigation where witnesses have come
4 forward, evidence has been closely examined, and
5 finding of misconduct has been made, there is no real
6 consequence.

7 These cases frequently end without
8 accountability because the final decision remains with
9 the police commissioner who has overruled CCRB
10 recommendations without public justification. Right
11 now, the CCRB lacks the tools to hold officers
12 accountable.

13 Even when misconduct is confirmed,
14 there are no real consequences. New Yorkers are
15 losing faith in the system, and that can't wait. It's
16 important that New Yorkers feel that their voice,
17 their vote, and their representatives matter and are
18 working on their behalf for the good of everyone in
19 this city.

20 At this point in our country and our
21 city, it's important that power remains distributed
22 across multiple groups in governing bodies. The CCRB
23 needs to have more authority in establishing and
24 determining results, consequences, and repercussions
25 so that all of that power does not remain in the hands

1 of one individual.

2 I'm asking the charter revision
3 commission to adopt four essential reforms for the
4 CCRB. The CCRB must have binding disciplinary
5 authority. The CCRB must have direct access to NYPD
6 misconduct records, independent board appointments,
7 and term limits for interim chairs. These changes
8 will move us from symbolic oversight to real
9 accountability. Thank you.

10 MS. GREENBERGER: Thank you so much.

11 MR. INNIS: Hello, everybody. My name
12 is James Inniss. Thank you everybody on the
13 commission for the opportunity to speak. I am a
14 grassroots organizer with New York Communities for
15 Change. Transparently, we're a founding affiliate of
16 the Working Families Party, so I'll just put that out
17 there.

18 And I am here to say that we are
19 against, as well, the jungle primaries system. Our
20 work as grassroots organizers is fundamentally about
21 building long-term relationships and empowering
22 communities historically excluded from decision-making
23 processes and power. Our mission is to increase
24 participation, enhance representation, and foster
25 trust and accountability within the political system.

1 Unfortunately, we believe jungle
2 primaries undermine these very principles. A general
3 primary system allows all candidates to run in a
4 single primary election regardless of their party
5 affiliation with only the top two vote getters
6 advancing to the general election.

7 At first glance, this may seem
8 straightforward. But in practice, it also results in
9 two candidates, usually from the same political party,
10 moving forward. Typically, these are the candidates
11 with substantial financial backing or an existing name
12 recognition.

13 The consequence is smaller parties,
14 independent voices are all silenced. This is a huge
15 blow for communities just starting to gain traction
16 and run grassroots candidates. Grassroots
17 candidates -- their communities. Grassroots
18 candidates are -- are members of those communities
19 that community members feel confident and want to vote
20 for.

21 General primaries actually suppress
22 voter choice because it suppresses that grassroot
23 movement. Moreover, jungle primaries don't level the
24 playing field. They tilt it even more. Candidates of
25 color and women, particularly, emerging from

1 grassroots movements, face significant fundraising
2 challenges even with New York City's general matching
3 fund system.

4 And for an example, you can just look
5 at the mayoral candidates, Adrienne Adams and Jessica
6 Ramos, and their fundraising, and you can tell women
7 of color have a harder time fundraising than everybody
8 else. And you heard my colleague earlier say why the
9 establishment just tends to like white maleness a lot
10 more than they do. People from actual communities,
11 who -- who know what's happening in those communities.

12 As organizers, we've spent months
13 educating voters about the current electoral system
14 and the change to ranks -- ranked-choice voting. It
15 was labor intensive, and it was an effort that
16 involved knocking on doors, involving -- organizing
17 community forums, and walking people how to actually
18 do it. And that's something that we are still doing.

19 Another radical shift in the primary
20 structure can undo years of this education and efforts
21 to make New Yorkers engage in the political process.
22 We want to make voting more accessible, not more
23 complicated. We are the ones -- excuse me -- we are
24 the ones organizing tenants, fighting for school
25 funding, and getting our neighbors out to vote.

1 We do not have super PACs. We have
2 people power. That's the only thing we have. We want
3 to empower people in communities so that their voices
4 are heard and that they want to run for offices, have
5 there -- and they can shift their communities. That's
6 why we firmly stand against the jungle primary system.

7 MS. GREENBERGER: Thank you both so
8 much.

9 Any question? Not online?
10 Thank you again for being here. Do
11 appreciate your efforts.

12 Carrie Lobman and David Mirtz will be
13 followed by Jennifer Ng and Jonathan Christ Tompkins.

14 So Carrie and David, go right ahead.

15 MS. LOBMAN: Good evening. Thank you,
16 commissioners, and thank you all of the other people
17 who have testified. It's really been a pleasure to
18 hear the different voices. My name is Carrie Lobman.
19 I'm a lifelong New Yorker, a lifelong Independent, and
20 an educator.

21 I strongly support putting open
22 primaries on the ballot because our current system
23 excludes millions of voters and silences an entire
24 generation. Recently, in my college classroom, I
25 shared an article with my college students -- of

1 students about the primary system and how Independents
2 in New York can't vote in the primary.

3 Their responses were immediate and
4 emotional. One student wrote, "It doesn't seem like a
5 democracy if voters are being told their vote doesn't
6 count, despite being a contributing citizen."

7 Another said, "I was shocked that this
8 is even allowed. It feels like we're going
9 backwards." And from a student registered as a
10 Democrat, "I had no idea this was happening. I can't
11 fully comprehend how enraged Independents must feel,
12 but I sympathize."

13 These are young people trying to
14 participate in a democracy. They're not disengaged.
15 But New York's closed primary system shuts many of
16 them out. And it's not just my classroom. Citywide,
17 49 percent of unaffiliated voters are under 50 and
18 26 percent are under 30.

19 In contrast, just 16.7 of major party
20 registrants are under 30. This is a generational
21 issue. And it's not just that they can't vote.
22 They're often left out of the conversation, therefore,
23 entirely.

24 We've talked a lot tonight about how do
25 you engage people. One of the ways people are engaged

1 is they're targeted by the candidates who are running.
2 They send out information to their -- people in their
3 parties. And unaffiliated voters rarely receive
4 information about who's running or what they stand
5 for. The result? Millions of voters, many of them
6 young, are told directly and indirectly that their
7 voices don't matter.

8 As an educator, I'm outraged. We don't
9 teach about this in schools. I wonder why? We don't
10 teach about the primary system in our civics classes
11 in elementary schools because we know it's unfair.
12 And if students understood it, they'd push back hard,
13 and they are.

14 Open primaries are about fairness,
15 inclusion, and honesty. We tell our children they
16 live in a democracy. It's time to live up to that.
17 Please put open primaries on the ballot, and let
18 New Yorkers decide. Thank you. Thank you.

19 MS. GREENBERGER: Thank you.

20 MR. MIRTZ: Thank you very much for
21 letting me speak. My name is David Mirtz. I'm a
22 longtime Bronx resident, father, leading iron worker.
23 I'm also a long time member of the Working Families
24 Party here in the Bronx.

25 Moving to even years -- and I'd like to

1 talk about the voter participation part of the charter
2 proposal. Moving to even years and -- is an obvious
3 choice with significantly higher voter turnout than --
4 than odd years. It should happen.

5 It's surprising to me, though, that
6 with all the possible ways to increase voter turnout,
7 the best and only other proposal the commission can
8 come up with is nonpartisan primaries. The proposal
9 that even your report seems to show that has little
10 impact on voter turnout, where it has been enacted.
11 It's not rocket scientists -- it's not rocket science.

12 The way to increase voter participation
13 is to make it easier to vote. If we want to increase
14 youth turnout, let them register the same day. If we
15 want to get overworked and busy New Yorkers to the
16 polls, make election day a paid day off. Make it
17 possible to vote at any election site in the city, if
18 we have that ability. We could make voting mandatory.

19 I'm sure the city could use the money.
20 I'm sure the commission could come up with all kinds
21 of good ideas to incentivize voting in a new charter.
22 That it hasn't is puzzling to me.

23 Nonpartisan primaries will further shut
24 out everyday New Yorkers from power and influence over
25 the government policies that affect their lives

1 because they strengthen the free hand, big money,
2 PACs, and wealthy donors already have in politics and
3 further handicap the organizations, unions, community
4 groups, minor political parties, and others that New
5 Yorkers participate in to empower themselves in the
6 political process.

7 Jungle primaries will continue the
8 consolidation of power into the hands of the wealthy
9 few. That's not strengthening our democracy. I would
10 urge the commission to pursue elections on even years,
11 but remove the jungle primaries proposal and make
12 proposals that truly make it easier for New Yorkers to
13 vote. Thank you.

14 MS. GREENBERGER: Thank you both.

15 Any questions?

16 Thank you for staying around.

17 I think online we are going to Jennifer
18 Ng and Jonathan Christ Tompkins. And then we will
19 have two in-person panels, Celina Avalos Jaramillo and
20 Amy Tsai. First, we'll start with Jennifer and
21 Jonathan online.

22 MS. NG: Hi. My name is Jennifer Ng.
23 And thank you for the opportunity to testify today.
24 This is just a short, personal testimony from a
25 citizen and a taxpayer of New York City. I was born

1 and raised in Queens, New York. I've lived in
2 multiple boroughs, currently reside in Brooklyn.
3 And -- a lifelong New York City resident.

4 It was very important to me to testify
5 today because I have -- I do believe that the top-
6 two -- a top-two and a top-four -- top-four open
7 primary would make New York City elections more
8 competitive and fair. The stats I heard today -- John
9 Kaehny's earlier testimony -- were very concerning to
10 me.

11 Currently, I think that too many races
12 are decided in low turnout, one-party primaries.
13 Voters don't belong to a party. Often the most
14 independent-minded among us are shut out. In fact,
15 I'm quite embarrassed to say that I have, in the past,
16 registered as a Democrat for the sole reason to vote
17 in the primaries, although I fully identify as an
18 Independent. I feel as though I abandoned my true
19 values.

20 Within the open system, the top two or
21 top four vote getters advance. General elections
22 would feature candidates who appeal to a broader cross
23 section of New Yorkers and candidates would be forced
24 to address broad citywide concerns, including things
25 like the need for more affordable and stable housing.

1 And this would foster more accountability and ensure
2 that candidates are focused on real solutions.

3 I think democracy works best when more
4 people are involved and representative -- represented.
5 I would love to see us make sure that everyone's vote
6 counts from the start, and I appreciate the time to
7 testify. And thank you very much for the time.

8 MS. GREENBERGER: Thank you.

9 Jonathan.

10 MR. TOMPKINS: Hello. Great to meet
11 everybody. I'm joining from beautiful -- Anchorage,
12 Alaska where it's midafternoon right now. And I
13 served in the Alaska legislature from 2012 to 2022.
14 And I chaired -- or co-chaired the committee in the
15 House of Representatives that oversaw elections policy
16 from 2016 to 2022.

17 So had front row seats and a lot of
18 involvement in the consideration, ultimately, passage
19 of the Alaska reform that it sounds like you've heard
20 a little bit about tonight and that your commission is
21 considering. And I just wanted to relate a few
22 observations from Alaska's experience with this reform
23 that may or may not have value to you all to consider
24 what to do in New York City.

25 I -- I should add, I'm not an academic,

1 so I can't speak to the sort of research or the
2 studies on turnout or black or Asian or other minority
3 representation, female representation.

4 All I can tell you is what I have
5 observed in terms of sort of hard, real political and
6 electoral realities in Alaska, which I think are
7 overwhelming and positive is the basic takeaway. And
8 the net effect of the reform in Alaska is that the
9 people who are elected are closest to the average
10 Alaskan in any one legislative district.

11 And so when you remove partisan
12 primaries -- and I'm a Democrat -- when you remove
13 partisan primaries, you're ultimately getting elected
14 officials who are closest to the average Alaskan in
15 that legislative district or the average Alaskan
16 statewide for statewide elections.

17 And I -- I think that's ultimately a,
18 you know, policy or philosophical choice, if you think
19 that's a good thing or a bad thing. There's testimony
20 that suggests that, you know, parties and party
21 primaries are ultimately a good thing, and the
22 majority of a party should sort of dictate overall
23 governance in the city.

24 I ultimately think, even as a Democrat,
25 that you want your election systems to represent the

1 average Alaskan in Alaska elections, or I think we'd
2 want New York elections to represent the average New
3 Yorker in New Yorker elections. And the Alaska-style
4 reform basically affects that outcome.

5 So I -- I think there are second order
6 considerations in the Alaska reform that are
7 incredibly positive that I have -- I served from
8 Juneau in our state government.

9 And because the system by electing
10 legislators who were closest to the median Alaskan in
11 their district, it effectively moderates the politics,
12 and it distances extremism in running for the polls
13 and the extremes in order to win party primaries,
14 which are inherently a subset -- non-representative
15 subset of the overall population, overall electorate.

16 And so when you get more a moderate
17 legislators and you create an election system that
18 incents collaboration, you get better governance. And
19 in the 40 years since Alaska has passed its election
20 reform, I would say governance -- the sort of quality
21 and function and collaboration of governance is at all
22 time historic highs.

23 Scott Kendall, who I worked with
24 closely when I was a legislator, I think spoke to this
25 a bit --

1 MS. GREENBERGER: I'm just -- I'm sorry
2 to -- to cut you off --

3 MR. TOMPKINS: No, no, no. I'm so
4 sorry for -- for --

5 MS. GREENBERGER: No, I would say --

6 MR. TOMPKINS: -- Democrats and
7 Republicans are working well together. Thanks for the
8 opportunity.

9 MS. GREENBERGER: Sounds like it. And
10 I would encourage you to submit a written testimony as
11 well.

12 Thank you both so much.

13 I am going to ask Celina Avalos
14 Jaramillo and Amy Tsai to join and then closing us out
15 are Jaidev -- forgive me -- Phadke and Louie Sosa.

16 So Celina and Amy, please go ahead.

17 MS. JARAMILLO: Okay. Perfect. Good
18 evening or good night, commissioners. My name is
19 Celina Avalos Jaramillo, and I'm testifying on behalf
20 of the New York BIPOC Democracy Table, which is a
21 coalition of organizations led by and serving black,
22 indigenous, and people of color across New York City.

23 We are united by a shared commitment to
24 racial justice, civic empowerment, and building an
25 inclusive democracy that truly reflects and serves all

1 New Yorkers. We strongly support the transition of
2 local elections in New York City to even- number
3 years.

4 The commission has rightly reviewed
5 this policy and its preliminary report, and we urge
6 you to include it in its final recommendation for the
7 ballot. I know you have all heard extensively about
8 this topic, but I really want to focus on the current
9 system that New York faces, which is persistent levels
10 of low voter turnout.

11 Voter participation is consistently
12 low, often under 24 percent. With even lower
13 participation in black, brown, immigrant, and working
14 class neighborhoods. In its 2022 report, Citizens
15 Union found that non-white turnout for the 2020
16 presidential elections was 85 percent of the white
17 turnout rate.

18 And you guys want to know what it was
19 in 2021? It dropped to 54 percent. Again, this very
20 low voter turnout indicates that the current system is
21 not working. It undermines representation during odd
22 years and leaves our communities out of the decisions
23 that affect our daily lives, from education to housing
24 to public safety.

25 And worse, in the 2021 mayoral general

1 election, the city faced a historic low turnout with
2 only 23.3 percent of eligible voters casting a ballot
3 in the general elections, 23.3 percent. Shifting city
4 elections to even-numbered years is a proven way to
5 increase voter turnout, especially among historically
6 marginalized communities.

7 Another study that was conducted by
8 Citizens Union examining 12 New York City assembly
9 districts found that majority minority districts
10 experienced the most significant turnout increase in
11 even-numbered years, as much as 250 percent in
12 Latino-majority districts compared to odd-year
13 elections.

14 Participation -- graphics rises
15 significantly when we vote alongside state and federal
16 elections. And when this happens, more of our voices
17 are heard and carry the political power that they
18 should in a healthy, inclusive democracy.

19 Folks, this policy is about racial
20 equity. It's about ensuring that our democracy works
21 for everyone, not just the few who vote in low
22 turnout, low information elections. Our communities
23 are already deeply engaged in neighborhoods, but the
24 current election schedule places unnecessary barriers
25 in our path. This policy removes one of those

1 barriers.

2 And some folks argue that this might
3 dilute attention to local races. I know this is one
4 of the questions, but the truth is that these races
5 are already overlooked and under the current systems
6 of abysmal participation rates.

7 Again, we strongly urge the commission
8 to move forward with this policy for the November
9 ballot. Let New Yorkers, especially those whose
10 voices have often been excluded, have a say in
11 building a more inclusive, accessible, and
12 representative democracy. Thank you for your time.

13 MS. GREENBERGER: Thank you. Thanks so
14 much.

15 MS. TSAI: Hello, everyone. Thank you
16 for the opportunity. I have my written testimony
17 available if you need. Good evening, commissioners.
18 My name is Amy Tsai, and I'm a Bronx parent of public
19 school students.

20 I'm here today -- I'm here tonight to
21 oppose the proposal shift for a jungle -- sorry -- I'm
22 here tonight to oppose a proposal shift to a jungle
23 primary or top-two, top-four, nonpartisan primary
24 system.

25 As someone who works alongside

1 grassroots organizations like the Alliance for Quality
2 Education, AQE, was first -- force -- I see firsthand
3 the power of community-led organizing to make change,
4 especially in the fight for educational equality to
5 black, brown, and low-income communities across New
6 York City.

7 The proposed jungle primary system
8 would severely diminish the influence of grassroots
9 organizations, like AQE, and would undermine our
10 ability to elect leaders who represent and are
11 accountable to our communities.

12 Jungle primaries claim to promote
13 fairness, but the truth is they simplify the influence
14 of wealthy candidates and special interests while
15 silencing the voices of those who have historically
16 been shut out of political power.

17 Under the system, the top vote getters,
18 regardless of party, advance to the general election.
19 Every candidate regardless of party or of values
20 appears on one product -- sorry -- crowded ballot and
21 a high candidate -- in a high candidate low
22 information race without party cues.

23 The -- the winners are usually those
24 who have bad -- bagged war chesses, the most -- the
25 most named recognition, or the backing of wealthy

1 interests.

16 In California and Washington State,
17 communities of color have seen their -- their
18 preferred candidates -- and I'll wrap up -- eliminated
19 in the first round, even to majority of minority
20 districts. Jungle primaries don't uplift
21 underrepresented voices.

Instead, they drown out with large money and media drive campaigns. I urge the commission to reject these proposals to protect the voices of grassroots organizations and communities.

1 Protect our community's rights to choose leaders who
2 reflect our values and just their -- just their bank
3 accounts. Thank you.

4 MS. GREENBERGER: Thank you both. Very
5 much appreciate it.

6 MS. JARAMILLO: I -- I did -- I know
7 we're already out of time, but I did want to answer
8 one of the questions that was asked about the fiscal
9 impact of the even-year policy, if I may answer it
10 really quick?

11 MS. GREENBERGER: Very quickly, if you
12 would take the mic and do so.

13 MS. JARAMILLO: Okay. Perfect. I'm so
14 sorry. But just really quick. So reducing the
15 election administration costs and the long-term
16 benefits of the even-year policy. The Independent
17 Budget Office found that in 2024 -- they did this
18 analysis in 2024, so last year -- that this shift
19 would help New York City saved 42 million every other
20 year.

21 So again, like -- this is, you know,
22 the fiscal impact of this policy, but also this policy
23 would enable localities to save on costs associated
24 with holding several elections each year. This
25 includes printing ballots, setting up and operating

1 voting equipment, recruiting training, and
2 compensating poll workers and determining final
3 election results.

4 But just something else too that I want
5 to highlight about this policy and the fiscal impacts
6 of it is that what this policy does is that it allows
7 resources to be allocated for different uses in
8 off-year elections.

9 So now election -- election
10 administrators can think about improving accessibility
11 of designated poll sites and physical security to
12 upgrade to better protect election offices and
13 employees. And we--

14 MS. GREENBERGER: Thank you.

15 MS. JARAMILLO: -- know that these --
16 really quick -- we know that these are becoming
17 increasingly more necessary with nearly one in three
18 election officials reporting that they have been
19 harassed, abused, or threatened because of their job.
20 So that's why we strongly support this policy.

21 MS. GREENBERGER: Thank you so much.
22 Appreciate that very much.

23 I do want to invite Jaidev and Louie to
24 come up. I did misspeak. Those are our last two
25 speakers in person. I will put our last four Zoom

1 speakers on notice. Sidharth Ghoshal, Sebastian
2 Hallum Clarke, Kimberly Cruz, and Pamela
3 Stewart-Martinez. Okay. Thank you. Thank you for
4 staying with us.

5 MR. PHADKE: Of course. I'm Jaidev. I
6 live in Queens. Thank you for putting the report
7 together. It's a lot, and it's also very good. What
8 the report does well is cover how open primaries would
9 make candidates see voters with more nuance and see
10 the wider swath of their electorate. I don't think
11 what it covers -- and this is why I want to talk about
12 it -- is how voters would themselves view their
13 candidates.

14 Just to illustrate something. So how
15 it feels for me to register, right. I feel that when
16 I register for a party, I'm essentially registering
17 for a team. In order to have a meaningful vote and
18 really have any sense that I'm participating, I need
19 to sign up to be a Democrat and view myself, in
20 some -- at least subliminal way, as a Democrat.

21 That is something that some -- some
22 testifiers said is a choice. It's a choice to
23 register in a particular party, and I could just not.
24 But also I think that's an illusion of choice. So it
25 influences how I, you know -- I ultimately need to

1 pick a team. And there are only two teams, and there
2 have only ever been two teams.

3 Sometimes in the past, there are other
4 sets of two teams like the Wig Party, but that's
5 irrelevant. So I guess it -- it -- I'm saying that it
6 influences how voters view themselves. I also think
7 it influences how I see candidates.

8 I associate candidates with their
9 teams, with the parties that they're part of. And I
10 think that I'd rather see them as people with diverse
11 sets of proposals and ideas to share. And I think
12 putting them all in one ballot would help. I even
13 think it could influence some Republicans to vote for
14 Democrats or at least rank them and vice versa, though
15 that's not necessarily very likely.

16 I think -- I guess in other words, I
17 think open primaries would influence voters and their
18 hearts and minds in the way that they view the voting
19 process. It would make them see people in more
20 nuanced ways and that -- that's not covered in the
21 report, but I think it's an implication.

22 Also, I think people are asking for
23 data. I'm not one of the experts who's written a book
24 that you guys invited to speak, but I did read
25 something interesting from the Bipartisan Policy

1 Center in 2024 saying that open primaries reduced
2 representational disparities by getting more young
3 voters involved essentially.

4 The mean age of primary voters drops by
5 about 1.5 years and increasing participation of
6 minority voters turnout disparities for Asian voters
7 went down by 4.5 percent and 4.3 percent for Latino
8 voters. So in other words, it helps make the
9 electorate more representative.

10 MS. GREENBERGER: Thank you so much.

11 MR. SOSA: Before my time starts, you
12 guys got questions?

13 MS. GREENBERGER: No, we we'll take
14 questions --

15 MR. SOSA: Before my time started, I
16 just wanted to get through that. Okay. So yeah --
17 just being courteous. So we can start my time. Go
18 ahead. Okay.

19 So thank you for the opportunity to
20 testify today. My name is Louie Sosa, and I am a
21 representative of Citizen Action. I have a decade and
22 a half of experience in marketing, mostly focused in
23 nightlife and concert promotion. And I've shared the
24 love of helping people since the pandemic, worked a
25 few elections, worked in a couple places.

1 So basically, I strongly oppose the
2 proposal -- and I'm going to throw some of this out
3 'cause I see I've got three minutes, so some of this
4 I'm not going to read. I'm just going to freelance
5 this.

6 I'll reject the -- the -- I oppose the
7 proposal to move New York City to a nonpartisan
8 primary system, the jungle primary, or the top-two
9 format. It doesn't solve low voter turnout.

10 Engagement solves low voter turnout,
11 and people normally engage with the people who fund
12 them. And campaigns that are funded by the people
13 usually have higher turnout by the people who fund
14 those campaigns.

15 My personal opinion. I would like to
16 propose something different, and I don't know if this
17 exists already, but maybe you guys can educate me.

18 I propose a three-party system where we
19 have a Republican, Democrat, and third-party system
20 where parties can go into or come out of the main
21 party system based on a number threshold, similar to
22 the Wig Party or my personal favorite, the Bulge [ph]
23 Republican Party. Not sure if you guys ever heard of
24 Bulge [ph] Republicans.

25 Even though I'm a Democrat, I'm

1 considered far left from Astoria. You already know
2 where it is over there. But yeah, it -- it, you know,
3 it doesn't help, you know, they reduce choice, not
4 expand it.

5 Like my brother mentioned here, we're
6 part of a team. So you get to represent your team. I
7 strongly suggest a -- the -- the -- what we have now,
8 the ranked-choice voting, which is great. This guy
9 over here helped with ranked-choice but the wrong
10 time. I like this guy already. Don't know his name,
11 but he's pretty cool.

12 I suggest ranked-choice voting but in a
13 three-party format. You know, Democrat, Republican,
14 and Independent, where everybody has a chance to
15 express themselves. I think that would give
16 Independents a strong, strong case to become the
17 leading party in New York City over the next 25 years
18 and maybe in the United States as well.

19 So yeah, I don't -- I don't want that
20 jungle party primary. But I do think we should have a
21 three-party primary, giving the -- that third party
22 the option to grow or leave. Who knows, Democrats
23 might leave. Republicans might leave in the 50-,
24 60-year time span. So that's it pretty much.

25 MS. GREENBERGER: Thank you so much.

1 Any questions for our panelists?

2 MS. SAVINO: Are you going to say --

3 MS. GREENBERGER: She's asking you to
4 send your written testimony.

5 MR. SOSA: Oh, send you my testimony?

6 Yeah. But it's pretty much what everybody said. Low
7 voter turnout. There's three reasons for low voter
8 turnout. Actually, another solution that I didn't
9 mention, I've been a field director in campaigns.
10 I've been a campaign specialist. I've been -- I've
11 been a specialist in the campaign.

12 And the main issue that we have on the
13 ground is that we cannot go into the -- mostly the new
14 buildings, the newer buildings that are built that
15 have doormen and, you know, exercise the
16 constitutional right to let people know that there's
17 an election coming up.

18 So while there are real estate
19 interests who are, you know, backing elected officials
20 of both parties and looking to get these buildings
21 built, it also reduces voter turnout when we can't go
22 into these buildings, regardless of party, regardless
23 of how you feel about whatever issue.

24 If we can't go into these buildings
25 during election time, that's basically taking away the

1 constitutional right from people.

2 MS. GREENBERGER: Thank you. Thank you
3 so much. Thank you for being here.

4 And we will go back online, and we will
5 start with Sidharth Ghoshal and Sebastian. We'll ask
6 Sidharth to come on first, followed by Sebastian,
7 followed by Kimberly, and then Pamela.

8 You may begin.

9 MR. GHOSHAL: Thank you. Hi. My
10 name's Sidharth. This is my first time coming to one
11 of these -- Flushing. So open primaries is something
12 I'm kind of passionate about. I think, like, we
13 should have more freedom. We should have the right to
14 be able to just voice our opinions even if we aren't
15 part of the correct team or whatever, you know?

16 And so before I go into, like, any kind
17 of factual thing, let me just like have a real quick
18 appeal to emotion, if that's all right here. So the
19 year is 1863. The Battle of Gettysburg has just
20 happened. There's been a massive war and the Union
21 has just won. But a lot of people are dead from both
22 sides, so Lincoln has to give a speech.

23 And so Abraham Lincoln gives the
24 following speech, and I'm going to just take a quote
25 out of it. "That these dead shall not have died in

1 vain. That this nation under God shall have a new
2 birth of freedom and that government of the people, by
3 the people, for the people shall not perish from the
4 earth."

5 I want to repeat one small part of
6 that, if you don't mind. "That government of the
7 people, by the people, for the people shall not perish
8 from the earth." The fact of the matter is Lincoln
9 was very careful not to say "Of the party, by the
10 party, for the party." He didn't say that.

11 He said, "For the people." And so it
12 goes without saying then that, like, if this is what
13 the sentiment was, like, gosh, like, almost what? Two
14 centuries ago or, like, a century and a half ago --
15 should be having open primaries by this point. Like,
16 we should have people able to just stand up and, like,
17 you know, raise their books.

18 Fact of the matter is the Republican
19 Party here is 75 percent white. There's a bunch of
20 people paid a lot of money to come testify today and
21 say that, "Oh, we actually think the primary should
22 stay closed." Well, guess what? Like, some of the
23 arguments they make are that minorities don't get a
24 chance to speak.

25 And if you had open primaries, suddenly

1 a whole bunch of minorities would be able to get to
2 pick a Republican candidate, which they don't
3 currently get to pick right now. And so the simple
4 fact of the matter is that we really should be having
5 open primaries. We really should be creating the
6 government "of the people, by the people, for the
7 people."

8 And I'm really, really happy that the
9 commission is willing to consider this question today.
10 I only found out about this because I was trying to
11 figure out, like, who -- you know, is anyone even
12 considering this question? And by some luck, 2025
13 happens to be the year that, you know, this becomes a
14 major question.

15 And so I'm extremely grateful for that,
16 and I just hope the commission does the right thing
17 here. I hope they may -- take the moral high ground.
18 They do the thing that's best, like, for our city.
19 And that's kind of it. Thank you.

20 MS. GREENBERGER: Thank you so much.
21 Appreciate it.

22 Sebastian Hallum Clarke.

23 MR. CLARKE: Hi. Good evening. My
24 name's Sebastian, and I live here on the Upper East
25 Side. I'm a member of Manhattan Community Board 8,

1 but tonight I'm speaking just on my own behalf and not
2 as a representative of board. Tonight, I'd like to
3 build on what we've been hearing about housing and
4 democracy.

5 On housing, I think we need to
6 streamline the ULURP review process, so we can build
7 more homes and make housing cheaper. On streamlined
8 reviews, currently, we know that so many of the
9 housing developments have to be separately reviewed by
10 a community board, a borough president, a planning
11 commission, the city council, and then the mayor.

12 And we know this is super slow and
13 expensive. But every day that we could shave off
14 those reviews is a day closer we can get to solving
15 our housing emergency. And so to build more homes, we
16 need to fast track as many housing projects as we can,
17 create one-stop zoning administrative reviews, and
18 compress that ULURP review process as much as
19 possible.

20 I'd suggest we combine the community
21 board and borough president review stages and give
22 more weight to the citywide and boroughwide elected
23 officials over the views of individual city council
24 members. It's a way to overcome those member
25 deference concerns. So let's streamline the reviews

1 to build more homes and make houses cheaper.

2 On elections, I know we all want a
3 robust democratic process where every New Yorker's
4 voice can be heard. The problem is the high frequency
5 of elections means that we get voter fatigue and low
6 turnout.

7 I've counted, and New Yorkers have been
8 summoned to the polls, at least in my area, ten times
9 in the past four years, which is just way too much
10 voting. To fix this, I fully support the proposals to
11 move the municipal elections to even years and then to
12 replace party primaries with a single open
13 ranked-choice general election.

14 Then with a single consequential trip
15 to the polls every four years, every New Yorker can
16 have their say about who runs our city. So with this
17 charter revision, let's try to streamline our
18 elections and make every vote count. And on housing,
19 let's streamline the process to build more homes and
20 make housing cheaper. Thank you.

21 MS. GREENBERGER: Thank you so very
22 much.

23 Kimberly Cruz.

24 MS. CRUZ: Hello. Hi. My name is
25 Kimberly Cruz of Queens, and I just wanted to start

1 with quotes. Benjamin Franklin once said, "Those who
2 would give up essential liberty to purchase a little
3 temporary safety deserve neither liberty nor safety."

4 So I just really want to state, because
5 we care about primary sources, I am a walking and
6 talking primary source. I was NY 6 congressional
7 candidate in 2024, which was just last year.

8 I am walking and talking proof of why
9 our democracy is a clear failure to any reasonable
10 citizen on this land. As I stated, I wrote a whole
11 book, Hindsight is 2020, The Tree and Key to
12 Democracy. And I published this October 2024 to
13 reveal all the 222 primary sources that this
14 commission has asked for. It's there.

15 So these demographics that we're
16 talking are people, right, from a national level, a
17 state level, and a city level. They can range in all
18 the different colors of purple that there is. But the
19 fact is that we don't have a local government. That
20 is why we -- we are here, pleading for open primaries
21 without really understanding what open primaries mean
22 in a civil war.

23 And like I've always said, as I
24 testify, we are in a civil war. We have a sister city
25 in Los Angeles that's dealing with their own gripes

1 right now. So I don't want to stay silent. I'm an
2 American patriot, and there's violence going on
3 because they don't have freedom of assembly. They
4 don't have freedom of the press. And we, as a public,
5 don't have freedom of speech.

6 So the demographics of my city is NY 6.
7 Flushing is my home. And I speak all the languages
8 that I can of my land. But I come here because voter
9 turnout needs to be engaging and informed to have a
10 healthy democracy.

11 Our senators, which I will state right
12 now, Senator Liu is a sponsor of a bill that is
13 allowing our public parks land to be taken away from
14 us. Okay? Citi Field is going to open up a casino.
15 And the historic part of it is the origins of Shea
16 Stadium come from 1957. So pre-Civil rights.

17 And when you think about the history of
18 this land, you're thinking about Walter o' Manley,
19 Robert Moses creating this new stadium with city
20 funds. You're talking about the fact that we had to
21 plead them to be there, and five days before the World
22 Fair in 1964 is when they opened up. And then they
23 dismantled this, right. They demolished this
24 apparently in 2009 because the city charter asked for
25 it.

1 But the disrespect to the people of
2 Queens, to the nation of Queens, because I'm pleading
3 for it to be a nation. I'm declaring it to be a
4 nation very soon if we don't get a local government
5 because this is a farce of democracy.

6 But the fact is that they were supposed
7 to dismantle it, cover it up because they didn't
8 properly create revenue for the land of Queens. But
9 then they created Citi Field, and they used that name
10 because they get \$20 million from Citibank to use that
11 name.

12 And the fact of the matter is, in 2025,
13 they had the audacity to start lobbying in -- in
14 Albany and all that jazz and the people of Queens for
15 the last five years since 2020 has said "no" --

16 MS. GREENBERGER: Thank you so much.
17 Thank you. That is your time. Thank you so much.
18 Thank you for your testimony.

19 Pamela Stewart-Martinez, do us proud.

20 MS. STEWART-MARTINEZ: Thank you for
21 allowing me to speak. I actually did not plan to
22 speak. I was just going to listen and -- and take in
23 everything, but I felt it was necessary to speak to my
24 experience. I am -- I -- I'm a resident of the Bronx.
25 I have raised my family here in the Bronx, and I'm

1 speaking to the experience of running for office.

2 I was not a party's choice because I
3 was never -- I'm part of the Democratic Party. I was
4 never my party's initial choice to run for anything.
5 In fact, some people would say I probably ran against
6 the party.

7 So I -- I would assume that most people
8 would think that I'm speaking on behalf of open
9 primaries. I'm really not. I'm actually speaking to
10 my experience, which is that I've always -- it's
11 very -- most of the time, I actually make it on the
12 ballot when running against incumbents who were the
13 party's selection.

14 And then I ran for a party position as
15 district leader. I actually beat the district leader
16 that was supported by my party. And quite honestly, I
17 feel like it's less about closed primaries as the
18 problem to why people are not participating. And this
19 is coming from somebody who's a resident of the Bronx,
20 who ran for office, who door-knocked, who spoke to
21 community members to get them to vote for her.

22 And most of what I heard from my
23 community members and the community that I walked
24 through, door-knocked through was their concern that
25 they felt that their vote didn't count. It was less

1 about not being recognized by a particular party and
2 more about feeling as though their vote didn't count.

3 Also -- which is why I was a huge
4 proponent of ranked-choice voting because, you know,
5 your vote counts in many different ways. So that was
6 my experience with the folks that I interacted with on
7 a regular basis, as a candidate, and door-knocking,
8 and helping other people out on their campaigns, and
9 being a campaign consultant for other people who ran
10 for office.

11 Also, what I will say is education is
12 critical because most people do not understand or know
13 about party positions. And that's community members'
14 opportunity to get more involved in party politics
15 and -- and have their voices and their concerns heard.
16 And in so many communities -- and I implore you to
17 investigate this -- a lot of those county committee
18 seats go vacant.

19 MS. GREENBERGER: Thank you.

20 MS. STEWART-MARTINEZ: And those -- and
21 those are opportunities for people to actually
22 participate within their party and be heard.

23 MS. GREENBERGER: Thank you so much.
24 Thank you for that.

25 And I do want to thank those of you

1 online, those of you still with us for being here. I
2 hope you know how important it is that your voices are
3 heard. That's why we're here. Thank you to everyone
4 for testimony this evening.

11 MULTIPLE SPEAKERS: So move.

12 MS. GREENBERGER: And is there a
13 second?

14 MULTIPLE SPEAKERS: Second.

15 MS. GREENBERGER: And do we have a vote
16 in favor?

17 MULTIPLE SPEAKERS: Ave.

18 MS. GREENBERGER: Yes. Thank you all
19 very much.

20 (Whereupon, at 8:36 p.m., the meeting
21 was concluded.)

1

CERTIFICATE

2 I, RICHELLE MODESTIL, the officer before
3 whom the foregoing proceedings were taken, do hereby
4 certify that any witness(es) in the foregoing
5 proceedings, prior to testifying, were duly sworn;
6 that the proceedings were recorded by me and
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9 said proceedings are a true and accurate record to the
10 best of my knowledge, skills, and ability; that I am
11 neither counsel for, related to, nor employed by any
12 of the parties to the action in which this was taken;
13 and, further, that I am not a relative or employee of
14 any counsel or attorney employed by the parties
15 hereto, nor financially or otherwise interested in the
16 outcome of this action.



17

RICHELLE MODESTIL

18

Notary Public in and for the

19

State of New York

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Bethany Joy Davis

BETHANY JOY DAVIS

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